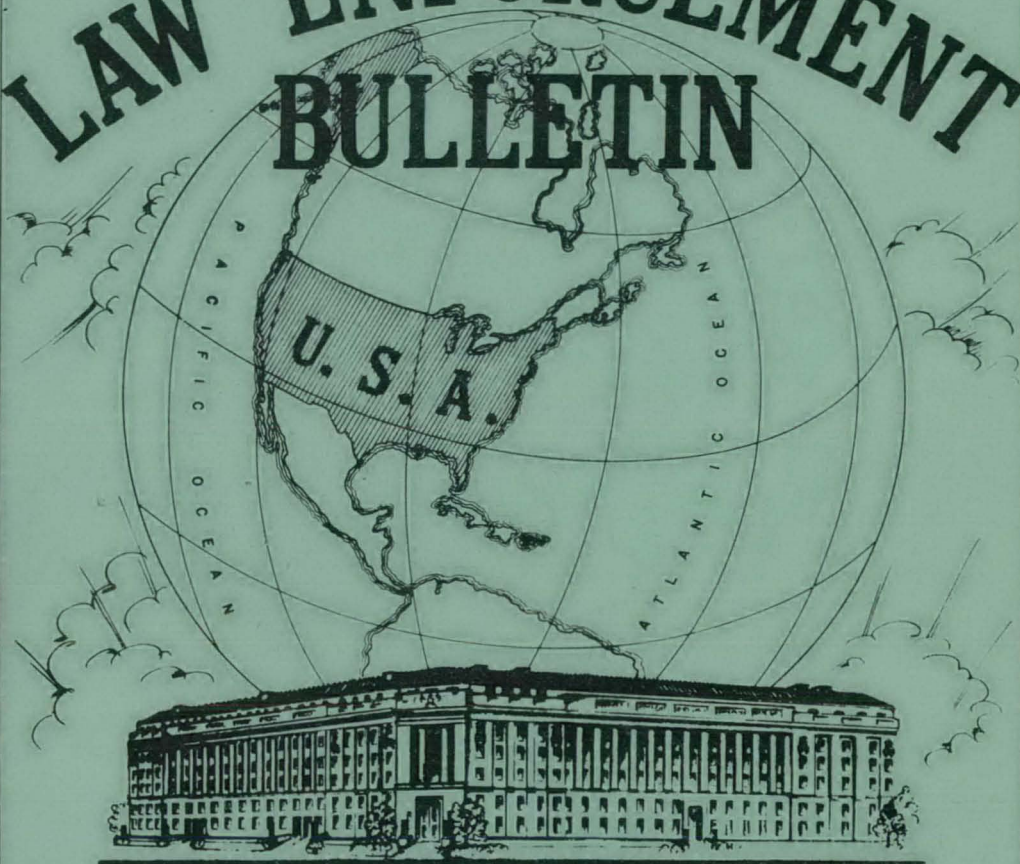


FBI

LAW ENFORCEMENT BULLETIN



UNITED STATES DEPARTMENT OF JUSTICE BUILDING

**FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE**

JOHN EDGAR HOOVER, DIRECTOR
WASHINGTON, D. C.

VOL. 8 NO. 6

JUNE 1, 1939

The Federal Bureau of Investigation, United States Department of Justice, is charged with the duty of investigating violations of the laws of the United States and collecting evidence in cases in which the United States is or may be a party in interest.

The following list indicates some of the major violations over which the Bureau has investigative jurisdiction:-

- National Motor Vehicle Theft Act
- Interstate transportation of stolen property valued at \$5,000 or more
- National Bankruptcy Act
- Interstate flight to avoid prosecution or testifying in certain cases
- White Slave Traffic Act
- Impersonation of Government Officials
- Larceny of Goods in Interstate Commerce
- Killing or Assaulting Federal Officer
- Cases involving transportation in interstate or foreign commerce of any persons who have been kidnaped
- Extortion cases where mail is used to transmit threats of violence to persons or property; also cases where interstate commerce is an element and the means of communication is by telegram, telephone or other carrier
- Theft, Embezzlement or Illegal Possession of Government Property
- Antitrust Laws
- Robbery of National Banks, insured banks of the Federal Deposit Insurance Corporation, Member Banks of the Federal Reserve System and Federal Loan and Savings Institutions
- National Bank and Federal Reserve Act Violations, such as embezzlement, abstraction or misapplication of funds
- Crimes on any kind of Government reservation, including Indian Reservations or in any Government building or other Government property
- Neutrality violations, including the shipment of arms to friendly nations
- Frauds against the Government
- Crimes in connection with the Federal Penal and Correctional Institutions
- Perjury, embezzlement, or bribery in connection with Federal Statutes or officials
- Crimes on the high seas
- Federal Anti-Racketeering Statute
- The location of persons who are fugitives from justice by reason of violations of the Federal Laws over which the Bureau has jurisdiction, of escaped Federal prisoners, and parole and probation violators.

The Bureau does not have investigative jurisdiction over the violations of Counterfeiting, Narcotic, Customs, Immigration, or Postal Laws, except where the mail is used to extort something of value under threat of violence.

Law enforcement officials possessing information concerning violations over which the Bureau has investigative jurisdiction are requested to promptly forward the same to the Special Agent in Charge of the nearest field division of the Federal Bureau of Investigation, United States Department of Justice. The address of each field division of this Bureau appears on the inside back cover of this bulletin. Government Rate Collect telegrams or telephone calls will be accepted if information indicates that immediate action is necessary.

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BULLETIN

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PUBLISHED BY THE
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

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The FBI Law Enforcement Bulletin is issued monthly to law enforcement agencies throughout the United States. Much of the data appearing herein is of a confidential nature and its circulation should be restricted to law enforcement officers; therefore, material contained in this Bulletin may not be reprinted without prior authorization by the Federal Bureau of Investigation.

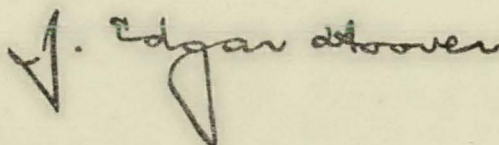
The FBI LAW ENFORCEMENT BULLETIN is published by the Federal Bureau of Investigation, United States Department of Justice each month. Its material is compiled for the assistance of all Law Enforcement Officials and is a current catalogue of continuous reference for the Law Enforcement Officers of the Nation.

**John Edgar Hoover, Director
Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.**

The files of the FBI are replete with instances of cooperation rendered to this Bureau by the great army of railroad police officers of America. With the gradual expansion of the vast intricate railroad network throughout the United States, it was found necessary to employ special officers to protect railroads from various types of thieves who sought to earn an easy livelihood through stealing from railroad shipments of merchandise, in transit, in railroad yards and warehouses.

These special officers have now become a very vital part of the railroad companies in protecting the shipments of freight as well as the lives and property of the passengers, and they are an integral part of law enforcement in the Nation. With the passage of The Carlin Act in 1913, Special Agents of the Federal Bureau of Investigation were authorized to investigate thefts from interstate shipments. Aided by the far-flung forces of the United States Government crimes involving interstate shipments have appreciably declined.

It is gratifying indeed to know that the Special Agents of the railroads throughout the United States have always exhibited such a fine spirit of cooperation with Special Agents of the FBI, and I am happy to have the opportunity to offer to these loyal officers the facilities of this Bureau at any time they find it necessary to call upon us. Law enforcement officers will always find Railroad Special Agents ready to cooperate in all problems of mutual interest. On June 21st, the Annual Convention of the Protective Section, Association of American Railroads will convene in Cincinnati, Ohio. On behalf of my associates in the FBI, and I believe I express the sentiments of all law enforcement, I extend best wishes for a happy and productive meeting attended by our Brother Officers of the Railway Police of the Nation.

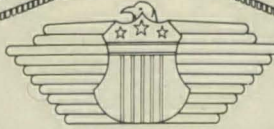
A handwritten signature in dark ink, reading "J. Edgar Hoover". The signature is stylized, with a large, sweeping "J" and a long, horizontal stroke extending to the right.

Director

FEDERAL BUREAU OF INVESTIGATION UNITED STATES DEPARTMENT OF JUSTICE



John Edgar Hoover, Director



THE FBI PLEDGE FOR LAW ENFORCEMENT OFFICERS

HUMBLY RECOGNIZING THE RESPONSIBILITIES ENTRUSTED TO ME, I DO VOW THAT I SHALL ALWAYS CONSIDER THE HIGH CALLING OF LAW ENFORCEMENT TO BE AN HONORABLE PROFESSION, THE DUTIES OF WHICH ARE RECOGNIZED BY ME AS BOTH AN ART AND A SCIENCE. I RECOGNIZE FULLY MY RESPONSIBILITIES TO DEFEND THE RIGHT, TO PROTECT THE WEAK, TO AID THE DISTRESSED, AND TO UPHOLD THE LAW IN PUBLIC DUTY AND IN PRIVATE LIVING. I ACCEPT THE OBLIGATION IN CONNECTION WITH MY ASSIGNMENTS TO REPORT FACTS AND TO TESTIFY WITHOUT BIAS OR DISPLAY OF EMOTION, AND TO CONSIDER THE INFORMATION, COMING TO MY KNOWLEDGE BY VIRTUE OF MY POSITION, AS A SACRED TRUST, TO BE USED SOLELY FOR OFFICIAL PURPOSES. TO THE RESPONSIBILITIES ENTRUSTED TO ME OF SEEKING TO PREVENT CRIME, OF FINDING THE FACTS OF LAW VIOLATIONS AND OF APPREHENDING FUGITIVES AND CRIMINALS, I SHALL GIVE MY LOYAL AND FAITHFUL ATTENTION AND SHALL ALWAYS BE EQUALLY ALERT IN STRIVING TO ACQUIT THE INNOCENT AND TO CONVICT THE GUILTY. IN THE PERFORMANCE OF MY DUTIES AND ASSIGNMENTS, I SHALL NOT ENGAGE IN UNLAWFUL AND UNETHICAL PRACTICES BUT SHALL PERFORM THE FUNCTIONS OF MY OFFICE WITHOUT FEAR, WITHOUT FAVOR, AND WITHOUT PREJUDICE. AT NO TIME SHALL I DISCLOSE TO AN UNAUTHORIZED PERSON ANY FACT, TESTIMONY, OR INFORMATION IN ANY PENDING MATTER COMING TO MY OFFICIAL KNOWLEDGE WHICH MAY BE CALCULATED TO PREJUDICE THE MINDS OF EXISTING OR PROSPECTIVE JUDICIAL BODIES EITHER TO FAVOR OR TO DISFAVOR ANY PERSON OR ISSUE. WHILE OCCUPYING THE STATUS OF A LAW ENFORCEMENT OFFICER OR AT ANY OTHER TIME SUBSEQUENT THERETO, I SHALL NOT SEEK TO BENEFIT PERSONALLY BECAUSE OF MY KNOWLEDGE OF ANY CONFIDENTIAL MATTER WHICH HAS COME TO MY ATTENTION. I AM AWARE OF THE SERIOUS RESPONSIBILITIES OF MY OFFICE AND IN THE PERFORMANCE OF MY DUTIES I SHALL, AS A MINISTER, SEEK TO SUPPLY COMFORT, ADVICE AND AID TO THOSE WHO MAY BE IN NEED OF SUCH BENEFITS; AS A SOLDIER, I SHALL WAGE VIGOROUS WARFARE AGAINST THE ENEMIES OF MY COUNTRY, OF ITS LAWS, AND OF ITS PRINCIPLES; AND AS A PHYSICIAN, I SHALL SEEK TO ELIMINATE THE CRIMINAL PARASITE WHICH PREYS UPON OUR SOCIAL ORDER AND TO STRENGTHEN THE LAWFUL PROCESSES OF OUR BODY POLITIC. I SHALL STRIVE TO BE BOTH A TEACHER AND A PUPIL IN THE ART AND SCIENCE OF LAW ENFORCEMENT. AS A LAWYER, I SHALL ACQUIRE DUE KNOWLEDGE OF THE LAWS OF MY DOMAIN AND SEEK TO PRESERVE AND MAINTAIN THE MAJESTY AND DIGNITY OF THE LAW; AS A SCIENTIST IT WILL BE MY ENDEAVOR TO LEARN ALL PERTINENT TRUTH ABOUT ACCUSATIONS AND COMPLAINTS WHICH COME TO MY LAWFUL KNOWLEDGE; AS AN ARTIST, I SHALL SEEK TO USE MY SKILL FOR THE PURPOSE OF MAKING EACH ASSIGNMENT A MASTERPIECE; AS A NEIGHBOR, I SHALL BEAR AN ATTITUDE OF TRUE FRIENDSHIP AND COURTEOUS RESPECT TO ALL CITIZENS; AND AS AN OFFICER, I SHALL ALWAYS BE LOYAL TO MY DUTY, MY ORGANIZATION, AND MY COUNTRY. I WILL SUPPORT AND DEFEND THE CONSTITUTION OF THE UNITED STATES AGAINST ALL ENEMIES, FOREIGN AND DOMESTIC; I WILL BEAR TRUE FAITH AND ALLEGIANCE TO THE SAME, AND WILL CONSTANTLY STRIVE TO COOPERATE WITH AND PROMOTE COOPERATION BETWEEN ALL REGULARLY CONSTITUTED LAW ENFORCEMENT AGENCIES AND OFFICERS IN THE PERFORMANCE OF DUTIES OF MUTUAL INTEREST AND OBLIGATION.

KEYNOTE ADDRESS
of
HONORABLE FRANK MURPHY
ATTORNEY GENERAL OF THE UNITED STATES
DELIVERED TO THE DELEGATES ATTENDING
THE NATIONAL PAROLE CONFERENCE

on
April 17, 1939

at
Washington, D. C.

Since the dawn of human history, men have been gaining the good things in life only by toil and pain. And always they have found that once gained, the good things can be kept only by toil and pain.

There is no better illustration of these elemental facts than the way of living we call democracy. We enjoy its blessings today only because in the long reach of centuries behind us, men suffered and even died to achieve democracy and other men suffered to keep it.

Our posterity, in the long reach of centuries ahead, will enjoy the benefits of democracy only if we, through toil and pain, keep democracy working.

We won't do it by making speeches, passing resolutions, or holding conventions about democracy. No matter how intensely 130 million people believe in democracy, it won't be kept working unless we have the common sense and the courage to roll up our sleeves and put the machinery of democracy in working order. We've got to be willing to work and sweat, to soil our hands, to suffer pain if need be and make sacrifices. We must have the humility to do the ordinary, unspectacular jobs that need to be done to keep any mechanism in a healthy condition. We must examine and re-examine the governmental machine, find out why it isn't working as it should, and correct whatever is at fault.

There is no instance in which we can do this better than by building up a modern parole system under unified, central control, free from venal politics, administered by a trained, competent staff, and equipped with every technique and device that modern science can provide. In the past, not only have we failed to get the most out of parole, but from the beginning it has been a source of scandal. The only way to end a situation of that kind is, first, to do a thorough job of house-cleaning, and, second, to administer parole everywhere in a modern way, in an efficient way, and in a clean, non-political way.

Because parole has been a source of scandal, it was inevitable that there should be a wide difference of opinion as to its value. It has been roundly condemned by one group as a menace to peace and order, and just as vigorously defended by others as a valuable protection to the public. We must work out this problem together.

Of one thing you may be sure - those in charge of this conference have no axe to grind and they are seeking no new authority. But they also do not believe - and I know that you do not believe - that we are assembled here to pat each other upon the back or to rationalize any false philosophy that may underlie any part of our system of criminal justice. We certainly are not here to contend that our system of measuring criminal penalties is perfect, because obviously, it is not. We know that it is subject to all the weaknesses of human emotion and human judgment.

What we are here for is to talk over the problems of parole in a democratic way and to make the result of our discussions available for the guidance of all of us.

There will be some disagreement, of course, but whatever we may disagree about, we at least have a common starting point. And that is the belief that the idea of parole is fundamentally sound. We feel a mutual gratitude for the common sense and humanity of Benjamin Franklin and those who helped him implant in America the philosophy of reformation that started with Rousseau and Voltaire and the Declaration of the Rights of Man. We recognize that when the emphasis was shifted from punishment alone to the rehabilitation of the criminal, parole became a virtually indispensable part of our system of criminal justice.

I believe we can also agree that one of our biggest jobs is to sell the idea of parole to the general public. I doubt that any other part of our governmental system is more widely misunderstood.

Ask the man on the street to tell you what he thinks of parole, and the chances are he will tell you it's a way of "beating the rap." Ask someone else for his opinion and he will tell you that parole is just another kind of sentimental "molly-coddling."

To those of us who work with parole or have a deep interest in it, these are absurd notions, of course. But we cannot just let it go at that. If the parole system is to be put to work generally throughout our country for the benefit of society, the public must be set straight as to what exactly is meant by parole. They must be convinced that parole is not a form of forgiveness for crime or an excuse for delivering criminals from jail. The public must be shown that parole is the most scientific method yet devised of helping the man who is released from prison to adjust himself to normal community life.

The public must be told not only what parole is but why it is. We must show the man on the street why the facts make parole a necessary part of our governmental structure.

The facts, of course, are that prison doors swing out as well as in and with almost equal frequency. Few men die in prison. Ninety-five per cent of the persons sentenced to prison eventually return to the community to live. Often they return bewildered and embittered. To many of them the world seems a cold and friendless place, and in such a world it

is easy to go back again to a life of crime. And unless society takes steps to prevent it, that is very often exactly what happens.

But an intelligent society will take those preventive steps. Through the agencies of government it will make every effort to guide the offender and help him find a normal place in the company of men. And parole, because it uses the methods and the techniques of science, is the best answer to this need that our society has yet found.

Of course, we all know that some of the individuals released on parole fail to make the grade. Some of them, in fact, become spectacular criminals, although in fairness it should be pointed out that most of our so-called "paroled public enemies" did not again commit crime until after they had served out their parole.

But let us admit freely that parole does not function perfectly in every case. Does that mean that the idea of parole is inherently bad? I cannot see the justice or the logic of any such reasoning.

Do we hold any other social institution completely responsible for the after-life of every individual who comes under its influence? A university is not indiscriminately attacked because some of its graduates fail to live in accordance with its teachings. A judge is not impeached if the future conduct of every person who is treated by the court does not comply with its orders. We do not condemn the church as a failure if some of its members fail to abide by its tenets.

Why, then, should the system of parole be condemned for the transgressions of the minority who break parole? In all fairness, it should be judged by its successes, as well as by its failures. And any fair appraisal of its record will indicate that it has been, on the whole, as successful as those in charge of its administration wished to make it.

The recent experience of my own State of Michigan is a case in point. In 1937 Michigan adopted the recommendations of a special committee of experts and completely reorganized its correctional system. The probation and parole services were unified on a state-wide plan. A modern classification system was installed in the prisons. Releases by pardon and parole were placed on a strict merit basis. The entire Department of Corrections was taken out of politics and career officers selected by the civil service commission were placed in control.

Michigan's experience with the new system has been too limited to allow an accurate appraisal of the results, but the signs point to a very decided decrease in the number of parole violations. Certainly it gave Michigan something more than a "paper" parole system, and we know that it did away with the unhealthy practice of paroling prisoners with the understanding, actual or tacit, that if they leave the State, they are free to do as they like.

I refer to this experience of one state only to show that it

is possible to take parole out of politics, to place it under strong, central control, and to administer it impartially and scientifically. And that, of course, is what must be done throughout the country if we are to realize the full value of parole.

Probably there is no service of government where the merit system is more important than it is in the administration of parole. The task of choosing prisoners for release is not something casual that anyone can do. It is not a task for a political job-holder. It must be done on the basis of modern, scientific standards and with modern, scientific techniques. It demands special knowledge and training, and above all, it must be absolutely free from political influence.

The same thing is true of the supervision of prisoners after release. It can be done right only by persons specially trained for the work, persons who know how to apply case-work techniques and who have a sound, practical knowledge of human relationships.

Such a personnel cannot be obtained by casual selection or for meager pay. It must be chosen under a merit system, guaranteed adequate compensation, and assured of security of tenure.

But even a staff that is trained and competent cannot do a good job of parole administration if it is not adequate in size. You cannot expect parole officers to work effectively if their case-loads prevent them from giving time and care to every person in their charge. Hasty work by a competent officer will not be much better than leisurely work by an unqualified person. Both will fall short of the mark.

Consequently, the problem of personnel is two-fold: You must have competent workers, and you must have enough of them.

An expert staff of proper size will produce the best results if it is equipped with all the needed tools. And this is one respect in which our parole system is sadly lacking. For example, there is no sound body of facts by which the present and past performance of parole can be carefully and accurately measured. Such parole statistics as we now have are poorly organized and often inaccurate. We need, and need badly, a uniform system of record keeping - not only for use in handling cases but also for necessary research.

But it is just as true of parole as of any other service of government that when you attempt improvement, you inevitably come face to face with the problem of finances. A trained personnel and proper tools cost money. And no matter how well-intentioned a state may be about modernizing and expanding its parole system, it is helpless without adequate funds.

In some fields of government service, such as social security, road building, and education, the financial problem has been met by systems of federal grants-in-aid. That is, the federal government allocates to a state a certain amount of money on condition that the state itself make a

supplementary or matching appropriation for the same purpose.

It has been suggested that the same kind of program be adopted for parole, and persuasive arguments are advanced why it should be.

It is said, for example, that all the citizens of the country, wherever they live, are entitled to the same degree of protection under the law. But as our techniques of crime control have become more refined and more costly, it has become more and more difficult to spread their benefits throughout the country. The more prosperous states can afford to adopt them but those with less means are forced to get along with what they have.

The argument is also advanced that crime has no regard for state boundaries. With modern methods of communication and travel, it spreads easily and quickly to all parts of the country. No state can control it adequately without the cooperation of its neighbors. Crime, therefore, becomes an interstate problem and one to be dealt with through cooperative effort.

Whether that cooperative effort should include federal aid to the states for parole administration is a question that in this day of unemployment and great expenditures for relief, we cannot easily answer. But at least it suggests for the future a possible solution to a serious problem. I believe this conference might well consider it in that light.

There is always danger, in concentrating on one problem such as parole, of failing to see the forest for the trees. We must not make that mistake. A sound approach will recognize that parole is, after all, not an isolated problem but only one important part of a total program for crime control. It will recognize that such a program, to be well-rounded, must include a policy of vigorous and relentless law enforcement on a nationwide scale, and - most basic of all - a long-range, determined endeavor to correct the conditions, both in the individual and in society as a whole, that breed crime.

In the last analysis, the problem of treating crime and delinquency is the problem of social justice of which it is but a small part. Basic reform, therefore, is the responsibility of our legislatures, our courts, and our executive leaders. How speedily and completely it will be achieved rests in large measure with the public whose will is so often necessary to sweep prejudice and reaction from their ancient moorings.

But to some of us is given the opportunity of helping to achieve reforms in the superstructure of our society, even if not in the foundation. The members of this conference, I believe, have such an opportunity before them. I very earnestly hope that by intelligent study of parole and practical suggestions for its improvement, we may bring nearer the ideal of justice for every member of our democracy.

SECRET WRITING WITH SYMPATHETIC INKS

The use of sympathetic or secret inks for writing hidden messages is very old. In addition to the possibilities of amusement and entertainment the use of such secret writings presents serious problems in connection with investigations of espionage and criminal matters. In the criminalistic field the most frequent use of secret writing probably is that wherein illicit messages are passed between prisoners detained in institutions and their friends and confederates on the outside. Upon occasion the criminal investigator may find need for using secret inks himself. Such is usually for the purpose of marking paper money or other materials which are to be subsequently traced.

Only recently an entirely new field of secret ink usage has been developed. Many modern laundries and dry cleaners are adopting an invisible system of marking clothing for identification purposes. Invisible inks are commercially available for this purpose. They are usually of a highly fluorescent nature and the laundry examinations are carried out in ultra-violet light. The importance of such marking methods from the crime detection standpoint is obvious and the clothing of unknown deceased or that found in connection with the investigation of crime invariably requires scrutiny in ultra-violet light.

The problem of detecting secret writing of a criminalistic nature is frequently a difficult one for the reason that the investigator usually has little information available concerning the form of sympathetic ink which has been utilized, if such a message has in fact been written on the document under examination. As compared with the handicap under which the investigator labors, the problem of the criminal and his correspondent is relatively simple for the reason that in the latter case both parties, by previous arrangement, are acquainted not only with the sympathetic ink used but also with the complementary reagent or action which will make it readable upon receipt.

Special study has been given to this type of analysis in the Technical Laboratory of the Federal Bureau of Investigation and as a result it is possible to set forth the following information concerning methods of detecting secret writings, as of possible interest to law enforcement agencies:

Problems of this kind may be roughly classified into two types. The first is where it is desirable to censor for secret writing all of a large volume of miscellaneous correspondence passing to and emanating from inmates of large institutions. The second problem involves a more particular analysis and scrutiny of a specific document selected by reason of the fact that particular suspicion exists, from other circumstances surrounding a case, that a secret writing is being utilized. The latter and

*This article may not be reprinted without special permission of the FBI, as the information contained herein is very confidential.

1 - See also "Sympathetic Inks," FBI Law Enforcement Bulletin, January, 1934.

more detailed testing procedure is not being considered in the present article.

In attempting to meet the first type of problem, consideration must be given to the fact that a limited amount of personnel can be devoted to the work of examining a large amount of such correspondence and to the further fact that of the total amount of the correspondence only a very small percentage will actually contain such secret writing. An additional factor to be considered in this type of problem is the desirability of making the examination without damaging the correspondence so that subsequent recipients will not be aware of the fact that an examination has been made. Admitting the possibility of failing to detect an occasional hidden message because of the unique means of writing, it would then seem sufficient to arrange routine analytical methods which might be expected to detect the greatest percentage of such writings, with the least amount of work on the part of the examiner. For this reason it is necessary to consider the materials usable, either as a sympathetic ink or as a complementary reagent, which are available to such institution inmates. It would further appear advisable as a part of the censoring system to maintain a record of the various writing media as they are detected in any manner so that the procedure for routine testing can be altered from time to time to meet any new circumstances brought to light in previous cases.

As an assistance to authorities in charge of such institutions desirous of setting up some sort of general testing methods, reference is made to the Table at the end of this article which sets forth a considerable list of materials useful as sympathetic inks together with some of the reactors which will detect them. Subject to modifications which may be considered desirable after a survey of the materials available in any particular institution, there is set forth hereinafter a suggested plan of procedure for the censoring of a large amount of such correspondence. Again it must be emphasized that these general tests will provide no assurance that no secret ink writing appears on the documents. It is believed, however, that they will detect a very large amount of that type of secret writing which can be made up from materials available.

SUGGESTED PROCEDURE FOR GENERAL EXAMINATION

1. A careful examination of the document in ordinary visible light. If desirable, a low power reading glass may be used as an aid to the scrutiny. Particular attention is paid to abnormally wide spaces between the lines of innocent writings. A close examination of the visible writing, particularly those portions of letters extending above and below the common lines of writing, may disclose feathering or blurring of the ink stroke caused by the crossing of the lines of visible writing by the interlineated secret writing. The examiner should also be alert to scratches or disturbances of the paper surface or fibers where no visible writing appears, and he should likewise be watching for indications that the paper surface has been wetted and subsequently dried.

2. The document might next be viewed with visible light crossing the paper at a grazing incident to the surface thereof. This can be

accomplished by the utilization of an artificial light source from which the light rays emanate nearly parallel through special lenses or a similar effect can be obtained by holding the paper surface at eye level while looking directly at the ordinary light source such as a window. This type of examination will facilitate detection of disturbed paper fibers and also indentations in the paper caused by writing.

3. A further examination of the document with visible light transmitted through the paper can be accomplished in a simple manner by having a frosted electric light bulb mounted in a box with a ground glass top upon which the document may be placed flat and through which the light is diffused. Detection with this method is generally limited to writings of the "watermark" type.

4. Visual examination of the document when illuminated by filtered ultra-violet light is the next step. This is a most important examination and will in itself immediately detect a large number of secret writing media. The most definite fluorescence is usually obtained from a filtered light source consisting of a mercury arc light in quartz. However, for most purposes of this kind a cheaper source of ultra-violet or near ultra-violet will usually suffice. Such cheaper lights include those of the "Niko" or "Red Purple Bulb" style or may be obtained from a cluster of six or eight ordinary argon light bulbs. In the latter cases filtering is not necessary.²

5. If no writing of a secret nature has been detected up to this point, the next examination should involve the emersion of the document in iodine gases. This is generally accomplished in a simple manner by utilizing a light wooden box approximately 12" by 10" by 10". If built for the purpose, the box might well have a glass front and a glass removable top. Hangers are generally provided so that six or eight letters may be hung up in the gas fumes at one time and the action of the gas observed through the glass front. Provision should be made at the bottom of the box for a small dish of iodine crystals which can be gently warmed if necessary.³

6. The last step in such a general examination consists of heat treatment. The document may be moderately heated with a flatiron. Care should be exercised to avoid scorching. It should be noted that this method of heating the entire document surface is not followed when it is expected that more detailed chemical tests will subsequently be made.

The possibility that the hidden message may be written on or inside of the envelope must not be overlooked and the same treatment should be applied to it.

2 - See "Fluorescence Analysis in Ultra Violet Light" by J. A. Radley and Julius Grant, for types of lamps and methods of using.

3 - For further reference to the iodine fuming box see "Chemical Development of Latent Fingerprints on Paper," FBI Law Enforcement Bulletin, May, 1937.

At first glance it might appear that the above suggested steps involve a considerable amount of time and effort. It will be found, however, that once the proper apparatus for the suggested examination is set up and as soon as the operator becomes familiar with the use thereof the same may be accomplished quite rapidly. It is also possible, in connection with several of the suggested steps of the procedure, to simultaneously handle several letters as for instance in the fuming process and examination by ultra-violet.

REFERENCE TABLE

SYMPATHETIC INK	FLUORESCENCE (Visibility to Naked Eye Under Ultra-Violet Light)	BEST DEVELOPERS
Acetic Acid	Yes - very faint	Heat Ultra-Violet Light
Alum (Potassium Aluminum Sulphate)	Yes - faint	Heat Ultra-Violet Light
Ammonium Chloride	Yes - very faint	Silver Nitrate and Light Heat
Anthracene	Yes	Ultra-Violet Light
Aspirin (Acetylsalicylic Acid)	Yes	Ultra-Violet Light Heat
Benzoic Acid	Yes	Ferric Chloride Solution Ultra-Violet Light
Berberine	Yes	Ultra-Violet Light
Blood	Yes - very faint	Benzidine and Hydrogen Peroxide Eosine in Alcohol Ultra-Violet Light
Borax	No	Heat
Calcium Sulphide (Phosphorescent)	Phosphorescent	Darkness
Chrysianiline	Yes	Ultra-Violet Light
Citric Acid	No	Heat

SYMPATHETIC INK	FLUORESCENCE (Visibility to Naked Eye Under Ultra-Violet Light)	BEST DEVELOPERS
Cobaltous Chloride	Yes	Heat; Ultra-Violet Light Hydrogen or Ammonium Sulphide
Cobaltous Chloride with a Nickel Salt	Yes	Heat Ultra-Violet Light
Cobaltous Nitrate	Yes	Heat Ultra-Violet Light
Copper Chloride	Yes	Ultra-Violet Light Heat
Copper Sulphate	Yes	Heat Hydrogen or Ammonium Sulphide
Damp sheet pressure writing	No	Iodine Fumes Ultra-Violet Light
Eosine	Yes - Orange Yellow	Iodine Fumes
Esculin	Yes - Blue	Ultra-Violet Light
Ferrous Chloride	Yes	Potassium Ferri- cyanide Ultra-Violet Light
Ferrous Sulphate	Yes	Potassium Ferri- cyanide Ultra-Violet Light
Ferric Chloride	Yes	Potassium Ferro- cyanide Potassium Thio- cyanate Tannic Acid Hydrogen or Ammonium Sulphide
Galls		Ultra-Violet Light Ferric Chloride
Gold Chloride	Yes	Heat Ultra-Violet Light
Gum Arabic (Acacia Powder)	Yes - Very Faint	Dust and Powders Ultra-Violet Light
Hydrochloric Acid	Yes	Silver Nitrate and Light Heat Ultra-Violet Light

SYMPATHETIC INK

FLUORESCENCE
(Visibility to Naked Eye
Under Ultra-Violet Light)

BEST DEVELOPERS

Invisible Laundry Marking Inks	Yes	Ultra-Violet Light
Lactic Acid	Yes - Faint	Heat Ultra-Violet Light
Lead Acetate	Yes - Faint orange tinge	Hydrogen or Ammonium Sulphide Heat Iodine Fumes Ultra-Violet Light
Lemon Juice	Yes - Faint	Iodine Fumes Heat Ultra-Violet Light
Manganous Chloride	Yes	Silver Nitrate and Light Hydrogen or Ammonium Sulphide Ultra-Violet Light
Manganous Sulphate	Yes	Hydrogen or Ammonium Sulphide Ultra-Violet Light
Mercuric Chloride	Yes - Faint	Heat Silver Nitrate and Light Iodine Fumes Hydrogen or Ammonium Sulphide Ultra-Violet Light
Mercuric Nitrate	Yes	Heat Ultra-Violet Light Hydrogen or Ammonium Sulphide
Milk	Yes	Iodine Fumes Ultra-Violet Light Heat
Mucilage (dilute)	Yes	Heat Ultra-Violet Light
Murine	Yes - Yellow	Ultra Violet Light
Nickelous Chloride	Yes	Heat Hydrogen or Ammonium Sulphide Ultra-Violet Light
Oil of Lemon	Yes	Ultra-Violet Light Ink
Onion Juice	Yes	Ultra-Violet Light Iodine Fumes Heat

SYMPATHETIC INK

FLUORESCENCE
(Visibility to Naked Eye
Under Ultra-Violet Light)

BEST DEVELOPERS

Onion Juice and Saliva	Yes	Iodine fumes Ultra-Violet Light Heat
Oxalic Acid	Yes	Heat Ultra-Violet Light
Petrolatum	Yes	Ultra-Violet Light
Phenolphthalein	Yes	An Alkali Ultra-Violet Light
Potassium Ferricyanide	Yes	Ferrous Chloride Ultra-Violet Light
Potassium Ferrocyanide	Yes	Ferric Chloride Ultra-Violet Light
Potassium Hydroxide	Yes - Faint	Heat Ultra-Violet Light
Potassium Thiocyanate	Yes	Ferric Chloride Solution Ultra-Violet Light
Pyrogallol	Yes - Dark Violet	An Alkali Ultra-Violet Light
Quinine Bisulphate	Yes	Ultra-Violet Light
Quinine Sulphate	Yes	Ultra-Violet Light
Reduced Fuchsin	Yes	Air and Sunlight Ultra-Violet Light
Salicylic Acid	Yes	Ultra-Violet Light Ferric Chloride Solution
Saliva	Yes - Very Faint	Iodine Fumes Heat Ultra-Violet Light
Silver Nitrate	Yes	Any soluble Chloride and Light
Soda (Baking)	Yes - Faint	Iodine Fumes Heat Ultra-Violet Light
Soda (Washing)	Yes	Iodine Fumes Heat Ultra-Violet Light
Soap Solution	No	Heat Iodine Fumes
Sodium Chloride	No	Silver Nitrate and Light
Sodium Naphthionate	Yes	Ultra-Violet Light

SYMPATHETIC INK

FLUORESCENCE
(Visibility to Naked Eye
Under Ultra-Violet Light)

BEST DEVELOPERS

Starch Solution	Yes - Very Faint	Iodine Heat Ultra-Violet Light
Stearic Acid	Yes	
Storage Battery Acid (Dilute Sulphuric Acid)	Yes	Heat Ultra Violet Light
Sugar Solution	Yes - Faint	Heat Ultra-Violet Light
Tannin (Tannic Acid)	Yes - Faint	Ferric Chloride Solution Ultra-Violet Light
Tin Chloride	Yes	Ultra-Violet Light Hydrogen or Ammon- ium Sulphide
Titanium Oxide	Yes - Pale Blue	Ultra-Violet Light
Uranium Nitrate	Yes - Yellow	Ultra-Violet Light
Uric Acid	Yes	Ultra-Violet Light
Urine	Yes	Iodine Ultra-Violet Light Heat
Whites of eggs	Yes - Faint	Iodine Fumes Ultra-Violet Light
Wine	Sometimes	Heat
Zinc Sulphide	Yes (also Phosphorescent)	Ultra-Violet Light or darkness

RAILROAD POLICE COOPERATE WITH FBI IN THEFT FROM INTERSTATE SHIPMENT CASES

The investigation of violations involving the unlawful theft, transportation, receipt or possession of goods moving as part of interstate shipments was delegated to the Federal Bureau of Investigation, United States Department of Justice by an Act of Congress passed in 1913. During the period from June, 1921 to the present time approximately 6,200 complaints concerning thefts from interstate shipments have come to the attention of the FBI, and the results are indicative of what can be accomplished by close cooperation between railroad police and Special Agents of the Federal Bureau of Investigation. The cases which have been investigated by these cooperative efforts have varied in their importance and severity, and the circumstances of many of them have been distinctive with respect to the details of the thefts and the methods by which they have been effected. One violation will prove to be the work of an organized group of professional hijackers, appropriating property valued at thousands of dollars, whereas the next complaint may reveal the nation-wide operation of a boxcar stealing gang.

The Congressional enactment of 1913 was "an Act to punish the unlawful breaking of seals of railroad cars containing interstate or foreign shipments, the unlawful entering of such cars, the stealing of freight and express packages or baggage or articles in process of transportation in interstate shipment, and the felonious asportation of such freight or express packages or baggage or articles therefrom into another district of the United States, and the felonious possession or reception of the same." This Act of February 13, 1913, commonly referred to as the Carlin Act*, was extended by the Act of January 28, 1925, which amended the former to include thefts from any "wagon, automobile, truck, or other vehicle" moving goods in or as part of interstate or foreign shipments.

In January, 1933, the Act was again amended, with the result that it was made a violation not only to break open or rob boxcars moving in interstate commerce, but also to obtain by any fraudulent device, scheme, or game, any moneys, baggage, goods, or chattels, from any passenger while on a passenger car, sleeping car, or dining car, in a train moving in interstate commerce.

It was not the intent of Congress, however, to reserve prosecution exclusively in Federal Court, and by statutory enactment provides that a judgment of conviction or acquittal under the laws of any State bars prosecution for the same act or acts in the Federal Courts. Consequently, in many cases of this type, the investigation is conducted by Special Agents of the Federal Bureau of Investigation, in cooperation with local law enforcement officers and Special Agents of the various railroad companies.

*Title 18, Section 409-411. Larceny, etc., of goods in interstate or foreign commerce; penalty. United States Code.

The determination of whether the case is to be tried in State or Federal Court is the function of the prosecuting officials based upon the basic principle of which jurisdiction can dispose of the case in the best interests of society. The Act provides that upon conviction a violator is subject to a maximum penalty of ten years' imprisonment or a fine of \$5,000.00 or both. This penalty may be imposed, however, for each of several separate charges arising under the Act. It is possible to commit many separate and distinct violations under the Act, such as, the breaking of a seal of a railroad car containing interstate or foreign shipments with intent to commit larceny therein; the entering of the car with intent to commit larceny; the stealing, concealing, or obtaining by fraud of goods being shipped in interstate or foreign commerce; the buying, receiving, or possessing of such goods knowing them to be stolen, and the carrying or transporting in interstate commerce of such goods knowing them to have been stolen. It is technically possible, therefore, for one individual to receive a sentence on each of the several mentioned violations as a result of one interstate shipment.

The history of the railroad police may be traced back to the middle of the nineteenth century when the fear of raiding parties from the South following the Civil War was eminent. The economic unrest of the 1870's made special police imperative as the number of the unemployed increased rapidly and the transient population turned to the railroad yards for transportation. The police power delegated to this group of law enforcement officers depends upon the individual states. In about half of the states the Governor has the power to appoint railroad police. In other states the Sheriff of the several counties and city police departments have this authority. Generally speaking, this group is clothed with broad police powers. The duties of the officers include the protection of the railroad property against thefts, carelessness, negligence, malicious mischief, depredations, and fire. They protect the passengers from pick-pockets and thieves, and preserve order on railroad property and passenger trains. Today a nation-wide organization exists, the members of which are spread out in every city, town and hamlet in the United States. The railroad Special Agents in various sections of the country are known for their cooperative spirit. They always welcome every opportunity to be of assistance and work shoulder to shoulder with the Federal Bureau of Investigation and local law enforcement officers.

In recent years many of the railroad police have adopted the practice of fingerprinting all persons arrested, and in this way have contributed largely to the efforts being exerted by other law enforcement agencies in combating crime, as such activity has resulted in the apprehension of many wanted criminals in various parts of the country for major crimes such as murder, robbery, assault and rape.

Three typical examples of the way in which the Railroad Police and the FBI cooperate in order to expedite the turning of the wheels of justice are cited hereinafter.

In June, 1935, Special Agents of the Illinois Central Railroad System at Louisville, Kentucky, reported to the Indianapolis, Indiana, office of the Federal Bureau of Investigation that on the night of May 30, 1935, a railroad car containing interstate shipments arrived in the railroad yards at Paducah, Kentucky. The seal on the car door was missing, and car inspectors proceeded to investigate. Special Officer Kelley of the Illinois Central Railroad System, while assisting the inspectors to open the car door, was fatally shot by two individuals, who jumped from the car as the door was opened.

Inasmuch as the car contained interstate shipments, the Federal Bureau of Investigation was called upon to conduct an investigation. Immediately outside the car door were found four .45 caliber cartridge cases, one .45 caliber bullet, and two metal jackets of .45 caliber bullets, which apparently had come from a .45 caliber automatic pistol which fired the shot resulting in the death of Special Officer Kelley. These were sent to the Technical Laboratory of the Federal Bureau of Investigation at Washington, D. C., and on June 18, 1935, a .45 caliber automatic pistol was taken from one of three Negroes arrested in the railroad yards of the Illinois Central Railroad at Centralia, Illinois. The individual in whose possession the gun was found gave his name as Joe Lewis. This gun was forwarded to the Technical Laboratory of the Federal Bureau of Investigation for ballistic examination, as a result of which it was definitely determined to be the gun from which the bullets found at the scene of the crime had been fired. This fact, however, was learned subsequent to the release of the three Negroes arrested at Centralia, Illinois.

It was learned from a Negro awaiting trial at Paducah, Kentucky, he had been informed by another Negro that Officer Kelley had been shot by a Negro known as "DeSoto," who was accompanied by a Negro known as "Dubois." The informant advised further he had heard that one Hurley Neece, a Negro of Paducah, Kentucky, was to have hauled away the loot obtained from the boxcar which "DeSoto" and his companion were alleged to have broken into. Inquiry among local officers revealed that the individual known as "DeSoto" was one Roy Simmons, who had been incarcerated in the Kentucky State Penitentiary in 1933. Simmons' identity having been established, a wanted notice was placed in the files of the Identification Division of the Federal Bureau of Investigation, in accordance with a request of August 1, 1935. The files disclosed that Simmons had been arrested by officers of the North Chicago, Illinois, Police Department on June 26, 1935, for investigation. Under the name of Joe Thomas he was arrested by officers of the Lake Bluff, Illinois, Police Department on suspicion of burglary and escaped by jumping through a second story window. He subsequently was again arrested by the North Chicago, Illinois, Police Department and again escaped, but was recaptured after being shot through the leg. After receiving treatment for the leg wound, he was released by the police on July 2, 1935. On August 8, 1935, officers of the Paducah, Kentucky, Police Department and the Illinois Central Railroad System arrested Simmons at Paducah, Kentucky.

Hurley Neece was interviewed and in a signed statement implicated Simmons and Dubois Pearson, stating that on May 29, 1935, they had

approached him relative to hauling merchandise for them which they intended to obtain in a theft from a freight car of the Illinois Central Railroad System. Simmons was questioned as to his connection with the offense and on August 11, 1935, gave a signed statement that he and Pearson had entered the freight car as it was en route from Princeton, Kentucky, to Paducah, Kentucky. It is interesting to note that the method of entering the car in this case, as admitted by Simmons, was to secure a rope to the top of the car. The rope was used by Simmons and Pearson to lower themselves to the side of the car and, while suspended by the rope, they opened the box car door, entering the car while the train, in full motion, proceeded to Paducah, Kentucky.

On August 11, 1935, Special Agents of the Federal Bureau of Investigation apprehended Dubois Pearson at North Chicago, Illinois. A fugitive complaint was filed, charging him with violation of the statute relating to larceny from interstate shipments, and he was removed to Louisville, Kentucky, for prosecution on this charge.

Pearson and Simmons were indicted in the State Court at Paducah, Kentucky, for the murder of Special Officer Kelley, and on September 26, 1935, the United States Attorney at Louisville, Kentucky, dismissed the interstate shipment theft charge against Pearson and he was delivered to State authorities to be held on the murder charge. On October 7, 1935, Pearson entered a plea of guilty and Simmons a plea of not guilty. Simmons' case was heard by a jury, which returned a verdict of guilty, and a death sentence was imposed by the Court. During the trial, a technician of the Federal Bureau of Investigation's Technical Laboratory gave testimony showing that the .45 caliber pistol taken from Simmons at Centralia, Illinois, had fired the fatal bullet. Pearson was given a life sentence upon recommendation of the jury, the facts of this case having been presented to the jury on October 7, 1935, to fix the punishment.

Records of the Identification Division of the Federal Bureau of Investigation disclose that Simmons had been received at the State Penitentiary, Eddyville, Kentucky, on May 24, 1932, as Ray Simmons, to serve one year for store breaking, and on January 11, 1933, to serve two years for storehouse breaking. As to Pearson, the records indicate that he was received at the State Reformatory, Pontiac, Illinois, on April 18, 1929, as James Peterson, to serve one year to life for burglary.

Although the offenses committed in violation of the Federal statute relating to thefts from interstate shipments are varied in nature, it is unusual that a shipment of merchandise is ordered for the express purpose of stealing it. This type of case came to the attention of the Oklahoma City, Oklahoma, office of the Federal Bureau of Investigation in August, 1932.

Investigation conducted revealed that Paul Butler Phillips entered the store of Luther Bridges, a merchant of Walnut Ridge, Arkansas, and engaged in a conversation, during which Bridges advised he was in the market for stolen merchandise. He mentioned particularly a certain brand

of shirts which he had formerly carried in stock in his store. Phillips ascertained from Bridges' records the name and address of the company manufacturing this type of shirt. He proceeded to order twelve dozen of the shirts, forwarding to the company a fictitious check in the amount of \$5.00 as a down payment. The check was drawn on an Arkansas bank and was subsequently dishonored. The twelve dozen shirts mentioned in the order were shipped to Portia, Arkansas, and were placed in a railway warehouse pending delivery to the fictitious consignee. Phillips broke into the freight-house and stole the entire shipment of shirts, which he carried to a cornfield near Portia, Arkansas. On the following day he advised Bridges of the arrival of the shirts, and Bridges accompanied him to the cornfield where the shirts were hidden and took them to Bridges' store. Ten and a half dozen of the shirts were subsequently recovered, the investigation being conducted by Special Agents of the Federal Bureau of Investigation, the Sheriff of Walnut Ridge, Arkansas, and a Special Agent of the Frisco Railway System.

Phillips was taken into custody, and on September 29, 1932, an indictment was returned against him, charging that on August 26, 1932, at Portia, Arkansas, he stole, took and carried away certain merchandise which constituted an interstate shipment consigned from Nashville, Tennessee, to Portia, Arkansas. A true bill of indictment was also returned against Phillips and Bridges, charging them with unlawfully receiving and having in their possession goods stolen from an interstate shipment. Bridges was also indicted in the State Court, and, as a result of a special term, his case was tried on November 1, 1932, at which time he was acquitted, this procedure making it impossible to try him on the Federal charge. On November 15, 1932, Phillips entered a plea of guilty in the Federal Court at Little Rock, Arkansas, and was sentenced to serve one year and a day in the United States Penitentiary at Atlanta, Georgia.

The files of the Identification Division of the Federal Bureau of Investigation reveal that in addition to this conviction, Phillips was received at the United States Penitentiary, Atlanta, Georgia, May 16, 1929, from Jonesboro, Arkansas, under a sentence of one year and one day, imposed for violation of the National Bankruptcy Act. He was paroled on November 6, 1929, and was discharged from parole on February 26, 1930.

As a result of an investigation conducted by Special Agents of the Federal Bureau of Investigation, U. S. Department of Justice, Leslie LeRoy England, with innumerable aliases, was sentenced in Federal Court at Boston, Massachusetts on March 12, 1934 to serve a term of two years in the United States Northeastern Penitentiary at Lewisburg, Pennsylvania, thereby terminating for the period of his confinement at least this individual's activities in successfully pursuing "the wedding racket" also known as "the unfortunate bridegroom game."

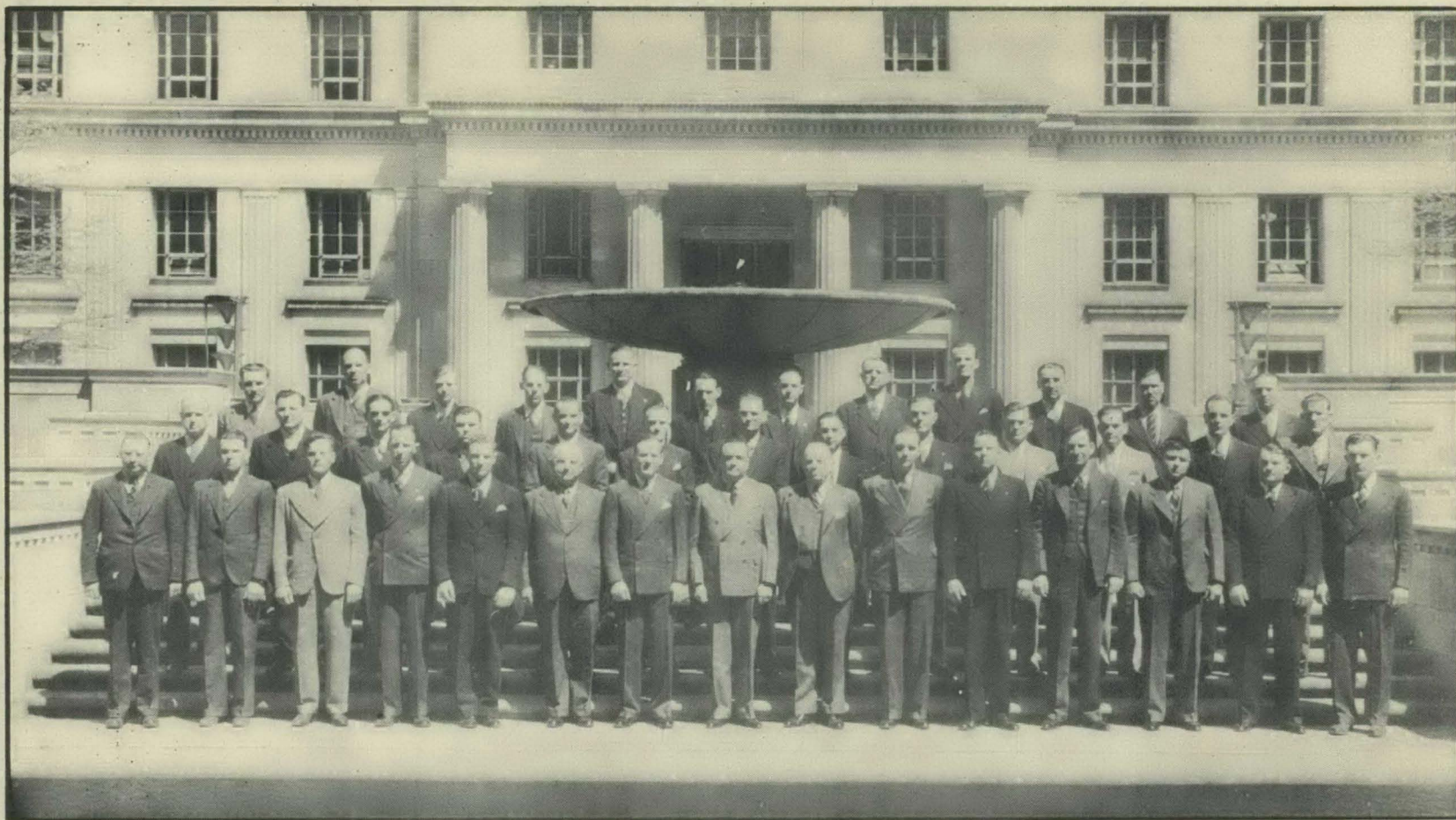
England's sentence resulted from his successful prosecution in Federal Court under the amendments to the Federal Statute involving Theft from Interstate Shipments, which amendments were enacted in January, 1933, and made it an offense not only to break open or rob boxcars moving in

interstate commerce, but also to obtain by any fraudulent device, scheme, or game any moneys, baggage, goods or chattels from any passenger or from the possession of any passenger, while on a passenger car, sleeping car, or dining car in a train moving in interstate commerce.

England's procedure in working this racket, in which he was unusually successful, was to approach a passenger on board a train about to depart, usually at Boston, Massachusetts, acquaint him with the fact that England was just married and was on his honeymoon, and that in the confusion following the wedding while hurrying to the train, he had either lost or misplaced his pocketbook. England pretended to be traveling to the same destination as the passenger accosted, assured the passenger of his good faith and wound up by asking him to make England a loan which England stated he would certainly repay promptly upon his arrival at their mutual destination. England's usual request was for the sum of \$30, and investigation by the Special Agents of the Federal Bureau of Investigation developed that he was successful in working this scheme on May 17 and May 19, 1933, upon which dates he had obtained \$30 each from a gentleman of Detroit, Michigan and another gentleman from Terre Haute, Indiana, while these two gentlemen were on board outbound trains at Boston, Massachusetts. On June 12, 1933, England abandoned his usual practice and resorted to the rifling of an overcoat of a passenger aboard the Boston-Albany train at South Station, Boston, upon which occasion England obtained \$23.

As a result of investigation by Special Agents of the Federal Bureau of Investigation, England was indicted at Boston, Massachusetts, November 24, 1933 on two counts covering money obtained from the first two gentlemen mentioned above. England at first indicated that he would stand trial, but subsequently retracted his plea of not guilty and on March 12, 1934 entered a plea of guilty to the indictment in Federal Court, Boston, Massachusetts. He was sentenced to be imprisoned in the Northeastern Penitentiary at Lewisburg, Pennsylvania for a term of two years on each count, the sentences to run concurrently.

On October 19, 1935, England was conditionally released from the penitentiary and shortly thereafter resumed his old fraudulent activities. A warrant was issued by the U. S. Board of Parole on March 10, 1936, charging England with violation of his conditional release by reason of the fact that he left his limits without permission. On June 9, 1936, at Rochester, New York, England was observed on the station platform by a railroad police officer, who recognized him from a photograph. The officer followed England into a Pullman car where a fight ensued, in which England made a jump of fifteen feet and managed to escape from the officer. On August 19, 1937, England was arrested by a New York City police officer and taken into custody. It was observed that he was in possession of 29 counterfeit \$10.00 bills, and was turned over to the United States Secret Service. England was subsequently indicted by the Federal Grand Jury in the Southern District of New York on the charge of possessing counterfeit money. On October 11, 1937, he entered a plea of guilty to this indictment and was sentenced to serve three years in a United States Penitentiary.



First Row, left to right: Rex B. Gullick, Virgil W. Hanlin, George A. McLaughlin, John M. Gold, Ernest Klingbeil, Burton T. Andrews, Clyde A. Tolson, J. Edgar Hoover, H. H. Clegg, John D. Allen, William Gayle Haynie, M. T. Atkins, John G. Faulkner, R. E. Floyd, Elmer R. Fletcher.

Second Row, left to right: Edward James Luce, Aubrey A. Rowles, Archie J. Richardson, C. E. Musgrave, Alvin D. McGuire, Joseph F. McMeel, Ernest Minniear, Gaston A. Fortin, Nicholas H. Holland, James E. Ingoldsby, Golden L. Hunsaker, George J. Koch, Jr., Frank Bland.

Third Row, left to right: Kenneth Logan, Harold Patterson, Joseph W. Sullivan, Alfred W. Turner, J. M. Peach, Charlie W. Smith, James F. Stahl, Leon Wier, J. J. McGuire, Howard F. Hornbuckle, Merl A. Gladieux, Joseph H. Frazier.

FBI NATIONAL POLICE ACADEMY ELEVENTH SESSION INAUGURATED

The Eleventh Session of the FBI National Police Academy was opened Monday, April 24, 1939, with thirty-six police officials in attendance representing local, county and state law enforcement agencies of the United States and one foreign agency - the Municipal Police of Shanghai, China.

The training of the experienced police officers at the Academy is the first step in the establishment of modern police training schools in the police agencies represented. Inasmuch as the Academy is for the purpose of fitting these officers to instruct the other members of their departments, special attention is directed to the courses in teaching methods, organization and administration of police training schools. The recent advances in the professional standards of law enforcement agencies have been obtained in a large measure by the increase in the training requirements of these agencies. As an indication of the changed status of training procedures, there are contrasted the mere handful of police agencies maintaining schools in 1935, the year the FBI National Police Academy was established, and the 334 police agencies in which more than 72,000 police officers now have modern training available through graduates of the Academy. Upon request, the FBI will designate a training officer to confer with the executive head of a law enforcement organization and his staff to study the training needs of the individual agency to formulate a training program designed to meet the needs discovered, and will furnish instructors from its own staff to assist the local instructor and aid in obtaining lecturers from other sources.

The curriculum in the Academy at Washington, which covers a twelve-week period of instruction, includes courses in Scientific and Technical Methods; Statistics, Records and Report Writing; Firearms Training and First Aid; Investigations, Enforcement and Regulatory Procedure; and Administration and Organization.

The roster for the Eleventh Session is as follows:

<u>NAME</u>	<u>RANK</u>	<u>ORGANIZATION</u>
John D. Allen	Patrolman	Highland Park, Michigan Police Department
Burton T. Andrews	Superintendent, Bureau of Identification	St. Joseph, Missouri, Police Department
M. T. Atkins	Deputy Sheriff	Dillon County, South Caro- lina, Sheriff's Office
Frank Bland	Officer	Needles, California, Police Department
John G. Faulkner	Patrolman	Arkansas State Police, Little Rock, Arkansas
Elmer R. Fletcher	Captain	Eldorado, Kansas, Police Department

R. E. Floyd	Inspector	Houston, Texas, Police Department
Gaston A. Fortin	Deputy Sheriff	Belknap County, Laconia, New Hampshire, Sheriff's Office
Joseph H. Frazier	Deputy Sheriff	Ashtabula County, Jefferson, Ohio, Sheriff's Office
Merl A. Gladieux	Sergeant	Toledo, Ohio, Police Department
John M. Gold	Chief of Police	Reidsville, North Carolina, Police Department
Rex B. Gullick	Chief of Detectives	Sioux Falls, South Dakota, Police Department
Virgil W. Hanlin	Chief of Police	Petersburg, West Virginia, Police Department
William Gayle Haynie	Officer	Orlando, Florida, Police Department
Nicholas H. Holland	Chief of Police	Salisbury, Maryland, Police Department
Howard J. Hornbuckle	Sergeant	San Jose, California, Police Department
Golden L. Hunsaker	Chief of Police	Globe, Arizona, Police Department
James F. Ingoldsby	Chief of Police	Bristol, Virginia, Police Department
Ernest Klingbeil	Deputy Sheriff	Houghton County, Houghton, Michigan, Sheriff's Office
George J. Koch, Jr.	Sergeant	Missouri State Highway Patrol, Jefferson City, Missouri
Edward James Luce	Patrolman	Montpelier, Vermont, Police Department
Alvin D. McGuire	Deputy Sheriff	Sarasota County, Sarasota, Florida, Sheriff's Office
George A. McLaughlin	Sergeant	Lower Marion Township Police Department, Ardmore, Pennsylvania
Joseph Francis McMeel	Asst. Supt., Bureau of Identification	Shreveport, Louisiana, Police Department
William J. Marley	Lieutenant	Metropolitan District Police, Boston, Massachusetts
Ernest Minniear	Officer	Gary, Indiana, Police Department
C. E. Musgrave	Trooper	West Virginia State Police, Charleston, West Virginia
G. R. Park	Sergeant	Shanghai Municipal Police, Shanghai, China
Harold Patterson	Sergeant	East Orange, New Jersey, Police Department
J. M. Peach	Captain of Detectives	Newport News, Virginia, Police Department
Charlie W. Smith	Chief of Police	Chesterfield County Police Department, Chesterfield, Virginia

Archie J. Richardson	Asst. Identification Officer	King County, Washington, Sheriff's Office, Seattle, Washington
Aubrey A. Rowles	Chief of Identification Dept.	Spokane County, Washington, Sheriff's Office, Spokane, Washington
James F. Stahl	Sergeant	Yuma, Arizona, Police Department
Joseph W. Sullivan	Commissioner	Binghamton, New York, Police Department
Leon Wier	Assistant Chief of Police	Greenwood, Mississippi, Police Department

SEVENTEEN YEAR FLIGHT TERMINATED BY FINGERPRINT IDENTIFICATION

In March of 1918 one John Dreher was committed to the State Penitentiary at Huntsville, Texas to serve seventeen years for robbery by assault with firearms and assault with intent to rob. On September 6, 1921 Dreher escaped from the Texas State Penitentiary. He was returned to that institution however, and again effected his escape on February 19, 1922. A wanted notice was transmitted by the authorities of the Texas State Penitentiary to the United States Penitentiary at Leavenworth for inclusion against his fingerprints. In 1924, when the Identification Division of the FBI was organized, fingerprints contained in the files of the United States Penitentiary at Leavenworth, Kansas were transferred to Washington for retention in the Identification Division. Dreher's fingerprints bearing the above wanted notice was one of the sets transferred.

On February 27, 1939 one Robert D. Dreher was received in the Montgomery County Prison at Norristown, Pennsylvania to serve twenty days for violation of the Motor Code. Dreher's offense consisted of driving an overweight truck. Since this individual had lived for years in that community and had always been a law-abiding citizen, the transmittal of his fingerprints to the Identification Division of the FBI was regarded by the law enforcement agency as a matter of routine only since it was assumed that he had no prior record. When the fingerprints of Robert Dreher were received in the Identification Division and checked through its fingerprint files, it was found that he was identical with the John Dreher who had escaped from the Texas State Penitentiary in 1922. Copies of his complete record were at once transmitted to the County Prison at Norristown, Pennsylvania and the State Penitentiary at Huntsville, Texas.

Information subsequently received in the Identification Division indicated that his sentence had been shortened and he had been released prior to the County Prison's receipt of his record. Since he was a resident of the locality however, it was an easy matter to pick him up again and this was done. At first the fugitive was inclined to deny his previous record but, under continued questioning and in the face of the fingerprint identification effected, finally admitted that he was the individual who had fled from the State of Texas seventeen years previously. Extradition proceedings for him are pending at the present time.

TRANSIENTS IN A NEW GUISE *

by

JUNE PURCELL GUILD

Years ago some of us professional social workers began to wonder just how long taxpayers and philanthropic givers would pour money into social services without noticing that social case work ever requires greater technical training and costs more and more, that uncounted millions suffering from case work problems manage somehow to live without the ministrations of case workers, that it would take more than the national deficit to provide case service for an infinitesimal part of those who really need it, that even in the very restricted area of its demonstration, case work researches are seldom produced.

Social case workers devoutly believe their efforts change the course of human events and reconstruct human patterns. But who is the transient and what, exactly, has social case work contributed to a solution of the problem of transiency? The short-lived Federal transient program cost one hundred million dollars and in the best of times an endless stream of transients crosses and re-crosses state lines. Many transients patronize flophouses and police stations, but others, no one knows how many, or what percentage of the whole group, regularly shuffle from one social agency to another and back again. But who really knows a transient? Is it correct to use the word transient, as many social workers do, as synonymous with "migratory laborer" or "itinerant worker at seasonal jobs?"

This paper gives no final or authoritative answer to any question but summarizes a study I have recently completed of 858 transient men aided by the Richmond Travelers Aid Society in the 76 days ending June 6, 1938. The study at least looks at the transient realistically, presenting him in a new guise. The study has convinced me that social workers are deluding themselves and those who pay their salaries, about transients. Transients need understanding care. But the public needs protection from these clients as much as transients need protection from social workers and the public.

At the outset it should be noted the Travelers Aid Society is a standard case agency, a member of the Richmond Council of Social Agencies; its executive secretary a trained social case worker, a member of the American Association of Social Workers; its better than average budget is provided by the Richmond Community Fund; its board of directors a representative group of local men and women deeply and actively interested in troubled human beings and the public welfare. During its last fiscal year the Society aided over 5000 transient cases but less than half the total of such cases sheltered in the city of Richmond annually. During the period covered by this study, the number of transients cared for by the Travelers

*This article appeared in the magazine, "Social Forces," Vol. 17, No. 3, March, 1939, and is reprinted with permission of the author, June Purcell Guild, formerly affiliated with Community Fund, Richmond, Virginia, now associated with Community Fund, Seattle, Washington, and the publishers of "Social Forces."

Aid Society was larger than in the same days in 1937.

After long-time consideration, the Travelers Aid Society, the Council of Social Agencies, and the Community Fund agreed that the psycho-analytical approach and the usual processes of social case work - registering, clearing, interviewing, verifying, recording - seemed to fail in too many transient cases. What were the facts? Social contacts with Richmond transients were often very short, although many of the same men returned to the city again and again. Most transients cared for were far removed from the usual sources of personal and social history, or remained on each visit too brief a time for social workers to gain a genuine understanding of their individual problems. Everyone admitted case work plans and therapeutic measures were sometimes based on lies and evasions, misconceptions and preconceptions.

It was decided therefore to fingerprint all transient men and thus enlarge the scope of fact-finding and investigation in their cases. It was believed that through this supplementary routine more intelligent plans would perhaps be worked out ultimately for transient care and possibly some new light be thrown on the whole problem, nationally. Certainly, additional information would be invaluable in attempting to understand and treat hundreds of transients who visit the city more than once. With the adoption of fingerprinting, established case work principles and ethics were neither discarded nor altered.

Although recently recognized as an effective aid in many criminal cases, fingerprinting is older than the Christian era and has long been used to identify persons, civilly; to validate legal documents; or defeat frauds in wills, receipts, oil paintings and so on. Used now primarily as an infallible aid in the protection of those unfairly accused of crime or those actually guilty of crime, there is no more reason against fingerprinting in case practice than there is against the registration and use of vital statistics or the use of a confidential social service exchange. Incidentally it may be added fingerprinting equipment costs under \$10 and any intelligent person may learn to take clear, accurate prints in two hours. Records are located at the Federal Bureau of Investigation within three minutes. It costs less to consult the FBI on a client's past history than to consult other social agencies, employers, physicians, teachers, and many other sources of social information but of course fingerprinting must be used as an additional, not a substitute method of case investigation.

When the fingerprinting of transients was adopted as a supplementary case work technique in Richmond there was no lessening of respect for the problems, personalities, confidences of transients. Every possible effort was continued to help transients identify their own difficulties and see the worthwhile aspects in their situations. As always, they were encouraged to share their troubles with the case workers of the Society. The ideals of case work have been followed even when transients have been wanted by the police; only one of the thirteen men studied and wanted by the authorities has been turned over for questioning. It should be mentioned

that the old charge in this case was quickly adjusted and the man went on his way free of fear and not as a fugitive. FBI reports are as a rule received too late to use in present treatment but since approximately 25 per cent of the men are social recidivists in Richmond, the treatment of their cases in the future should be more intelligent in the city. If only a little clearer understanding of transiency as a national problem is gained from fingerprinting, the experiment is more than justified. One rather unexpected by-product of transient fingerprinting has just been discovered. The mangled body of an unknown white man was found along a railroad in South Carolina and identity was established for a Georgia family entirely through the fingerprints taken in Richmond by the Travelers Aid Society.

Of the 862 transient men asking help from the Travelers Aid Society from March 23 to June 6, 1938, only four refused to be fingerprinted. Of the remaining 858, over 61 per cent were found to have been previously fingerprinted and recorded at the FBI a total of 2181 times. Nineteen hundred and twenty-five of the fingerprint records were for crime; 256 were non-criminal records taken in other cities. It would be possible to identify only approximately 10 per cent of the male population of the country above 15 years of age from the fingerprint records on file at the FBI. Exclusive of "sleeper" or "lodger" fingerprint records, over 56 per cent of the 858 men included in this study were on file at the FBI on criminal charges.

The serious criminal charges averaged over five per white transient and slightly under three per Negro transient. The same relative standing was maintained in the misdemeanor charges which averaged a little under three per white transient and a little over two per Negro transient. These comparisons, although interesting, are not of great value because there were only 36 Negro cases in the group studied. Whether relatively fewer Negroes become transients or are patronizing other Richmond agencies in larger numbers is not disclosed by this study of Travelers Aid Society cases.

A summary of the criminal charges recorded at the Federal Bureau of Identification on the men studied is listed in Table I. Limitations of space do not permit a discussion of the details on the criminal charges against transients. However, almost every crime on the statute books was found recorded against them. For example, included in the sex crimes are 5 charges of white slavery, 5 of rape, 2 sodomy, 2 bigamy; miscellaneous charges included arson, conspiracy, extortion, etc.

FBI reports were tabulated as serious when there was at least one serious criminal charge recorded against a man. Drunkenness, begging, vagrancy and similar misdemeanors were listed as non-serious but it should be kept in mind that such charges as these are socially serious when they become chronic. Drunkenness was undoubtedly chronic in a much larger percentage of cases than the summary of charges would indicate; letters received from social agencies on over two hundred of the men speak of them repeatedly as "heavy drinkers," "chronic alcoholics" and so on. It was

found that 13 transients with records for crime in Richmond had actually been arrested a great many more times in the city than their FBI records indicated. In fact the Richmond Police Department says that it customarily fingerprints only about 10 per cent of the total number arrested in the city. Furthermore, although the FBI took over old fingerprint records when

TABLE I
FBI CRIMINAL RECORDS ON TRANSIENTS

	Serious		Non-Serious		Total
	White	Negro	White	Negro	
Assaults, including murder	52	7			59
Carrying concealed or dangerous weapons	10	2			12
Drugs	11				11
Larceny	216	11	1*		228
Robbery	28	2			30
Burglary, housebreaking, breaking and entering	91	4			95
Forgery	25	1			26
Counterfeiting	4				4
Stealing from the mails	3				3
Obtaining money or goods by false pretenses	15				15
Fictitious checks	43	2			45
Sex crimes	29				29
Violating probation, parole, pardon	18				18
Military offenses	24				24
Non-support, desertion	12				12
Drunkenness and liquor violations	266	7	304	12	589
Drunken and reckless driving	27			1*	28
Begging	10		18		28
Trespassing	19	3	32	6	60
Railroad trespassing and train riding	36	2	26	4	68
Vagrancy	80	2	108	4	194
Suspicion	119	13	65	3	200
Charges not clear	74	1		3	78
Miscellaneous	49	6	13	1	69
TOTALS	1,261	63	567	34	1,925**

*Case dismissed; as this was the only serious charge on this case, it has been tabulated as a "non-serious case."

**There were also 256 previous non-criminal fingerprint records.

the Bureau was organized in 1924 its old misdemeanor files are by no means complete. And yet there was one transient recorded 35 times at the FBI as a drunk; one transient was recorded 33 times on charges of assault and battery, larceny, drunkenness, begging, etc. The earliest registration at the FBI for transiency was made in 1929. The earliest felony record on these

men was made in 1907. The absurdity of social treatment without knowledge of such facts is obvious.

Table II gives the date of the first FBI registration on the men studied. Of the 97 men shown in the table as known to the FBI ten years or more only 15 had reached their early fifties. Unless future methods of study, care, and treatment are more successful than past, considerable criminal and transient activity may be expected from this group for some time.

TABLE II
DATE OF EARLIEST FBI RECORD ON THE TRANSIENTS STUDIED

Year	Serious		Non-Serious		Total
	White	Negro	White	Negro	
1907	1				1
1908	1				1
1911	1				1
1913	1				1
1914	1				1
1915	2				2
1916	5				5
1917	1				1
1918	2				2
1919	5				5
1920	1		1		2
1921	1		1		2
1922	6		1		7
1923	3				3
1924	7	2			9
1925	5	1	2		8
1926	7		2	1	10
1927	16		2		18
1928	15		3		18
Prior to 1929	81	3	12	1	97
1929	13	1	4		18
1930	17	1	8		26
1931	15	2	9		26
1932	11	1	5	1	18
1933	26	2	13	1	42
1934	13	2	12	1	28
1935	26	2	38	2	68
1936	20	1	36	2	59
1937	18	2	60	3	83
1938	3		57	4	64
Since 1929	162	14	242	14	432
GRAND TOTAL	243	17	254	15	529

From the FBI reports it was learned that about one-sixth of the transients cared for in this particular group used aliases, some as many as five different names. And such variations in names as Wilson, Walters, Woodson, or Dunning, Durham, Dennis were not counted as aliases. Actually such variations in names may have been other aliases and not typographical errors. In any event such uncertainties in surnames would add to the difficulty and expense of making reliable social investigations. Roughly 10 per cent of the men claimed to be homeless; another 10 per cent claimed to be domiciled in Virginia; the others gave their addresses in 34 states, Washington, D. C., and Porto Rico. Letters of inquiry were sent to accredited correspondents in those cases where the addresses were given in detail and appeared on their faces to be accurate. In over 25 per cent of these cases no traces of the men could be discovered at the addresses given. Many of the addresses were found to be lodging houses where it is possible the men had lived briefly at some time in the past.

Social agencies in other cities may have failed to locate all the possible transient addresses because of lack of time or interest. They verified 124 transient addresses as given in Richmond. In well over one-half of these cases the transient or his family was well known to social agencies. The reports received indicated there had been much case activity but not much change in the attitude of the men. Typical replies used such phrases as these about the Richmond transients:

"Certified for work. . . did not report;" "Man and his family known to our agency since 1911;" "At time of his departure was working on relief;" "Discharged from CCC for refusing to work;" "Was assigned to WPA but did not report;" "Draws a life pension of \$22 a month from the Navy . . . is a wanderer and does not like to stay in one place;" "Known since FERA and to the CCC . . . here today and gone tomorrow;" "Heavy drinker . . . goes from one government home to another;" "A poor rooming house section . . . had roomed there a long time ago."

By checking the names and the aliases of the transients through the Richmond Social Service Exchange it was found that 189 of them had been known 339 times previously to Richmond agencies which register. The Richmond Police Department does not register and it sheltered 817 transients during the period covered by this study. Two Richmond cases are briefly cited:

A man who gave a fictitious Pennsylvania address was located in the Richmond Exchange by clearing an alias which appeared on his FBI report. He had been arrested 26 times in Richmond and was wanted at the time for housebreaking in Richmond; only three of his Richmond arrests appeared on his FBI report. This man had been given employment relief in Richmond in 1932 but it was later discovered that he was also working at a regular job. His Richmond family at the time he was fingerprinted appeared to be in need of relief.

Another man known to Richmond case agencies since 1920 was referred to in lengthy case summaries as the "black sheep of a good family." His FBI report listed 18 charges against him for burglary, robbery, assaults, bad checks, drunkenness in five states under various aliases. He had not been arrested in Richmond. Many efforts, apparently all in vain, had been made to stabilize the family.

Of the cases known to Richmond and other social agencies there was just one which appeared to be a real case of leaving home for the definite purpose of seeking employment. This man had evidently wandered from home at least once before as he had an old criminal record in a distant state.

Less than one man in six of the 858 studied had been arrested according to the FBI in the city called home. It was possible to trace the travel movements of transients at least partially from their FBI records:

A Virginian who had been arrested in Georgia, North Carolina, Utah, two cities in Colorado, North Carolina again, returned home to Virginia, went back to California and then appeared as a transient in Richmond;

A Pennsylvania man was first in trouble in Kansas, then in Indiana, California, Minnesota, Arkansas, Oklahoma, Louisiana, again in Minnesota, finally was sheltered as a transient in Richmond;

A San Francisco man started his FBI record in Massachusetts, was then picked up in three different California cities -- never in San Francisco, then came to Richmond;

A Florida man was recorded as arrested in this order: In Florida (never in the place of residence), Washington, D. C., twice in California cities, three times in Texas cities, twice again in Florida, and then was cared for as a transient in Richmond.

From the FBI reports it was learned that 13 men were wanted by the police at the time of their reception and care by the Travelers Aid Society. Two cases are cited:

A small town Virginian who had served time in New York, California, Georgia, Florida and South Carolina was wanted as a parole violator by San Quentin Prison where he had been sentenced for robbery in 1932, one year to life.

A Charlotte, North Carolina, man with a record of 15 charges against him in seven states for larceny, forgery, stealing from the mails, impersonating an officer, etc., was wanted by the United States Board of Parole.

In passing it may be recalled that parole officers are or should be case workers. Why should not transient case workers cooperate with them?

It is possible to mention only a few of the more obvious conclusions reached in this study:

FIRST -- Many transients are criminal and social recidivists of long standing. They need skilful diagnosis and long-time treatment based on realities and facts. Fingerprint records are a valuable source of social data and should not be ignored in planning treatment.

SECOND -- Fingerprinting is a simple, cheap infallible method of identification. It defeats fraud and protects the innocent. It should be used to help persons unjustly accused of crime in places where they are not known and also to provide their families with a resource in cases of sudden death and injury.

THIRD -- FBI records show that transients travel vast distances, cross and re-cross state lines, wander about for years. Many do not give their real names to social agencies nor do they always have or disclose a legal settlement. Transients need much study and care which should be given at Federal expense; if necessary men should be required to remain under care long enough to be benefited. At present records and care should be centralized.

FOURTH -- Transients who come to Richmond, Richmond men who are transients in other cities -- sometimes in Richmond -- are all the result of complex personal and social conditions, needing more study, correlation, research. A social case worker should approach the problem of transiency with an open mind, as anxious to safeguard the public interest as to shield the individual client.

THE POLICEMAN'S NOTES

Modern law enforcement officers are called upon almost daily to investigate many different types of complaints. Inquiries are conducted in connection with a variety of cases in the course of a single tour of duty. Experience has taught the progressive policeman that often what appears at the moment to be merely a routine investigation may later result in the solution of a major crime.

Every successful officer realizes the necessity of prompt and vigorous action in all cases no matter how trivial the complaint may appear on the surface. Likewise it is realized that no matter how complete and thorough an investigation a police officer may conduct, if at some future date he is unable to accurately describe in Court the exact details of his findings, all of his energy and ingenuity have been wasted.

It is not at all unusual for a case to come up for trial many months after the crime was committed. It may be several years after the original investigation of the crime was conducted before the subjects are located and brought to trial. The human memory is notoriously defective. Officers who interview eye-witnesses some time after a crime has been committed often find that even in the most fundamental details the witnesses are considerably at variance. In modern law enforcement the officer is constantly locating and examining numerous items of evidence and stolen property, such as automobiles, firearms, clothing, jewelry, and other similar articles. Usually certain identifying marks such as serial numbers are found on these pieces of evidence. It is a practical impossibility for anyone to remember such a maze of facts and details, and it is therefore highly important that careful notes be made by the investigating officer in order to avoid future embarrassment when called upon to testify in Court.

The taking of notes does not require an expensive or elaborate notebook. Probably one of the most practical and satisfactory methods in use today is the practice of officers to carry with them several sheets of plain or ruled paper of letter size folded so as to fit into the pocket conveniently. During the course of the day several inquiries may be conducted, and the substance of each inquiry included on a separate sheet of paper. When the officer returns to headquarters, he sorts out the different sheets of paper in logical order, and dictates or writes his report from his notes. Thereafter the notes are carefully initialed and filed away in the case file along with the investigative report, and will be immediately available to the officer to utilize in refreshing his memory when called upon to testify in Court.

In some departments the officers are provided with loose-leaf notebooks or books with the pages perforated so as to be easily detached. These are very satisfactory, and the procedure of using these notebooks is exactly the same as described in the preceding paragraph.

It has been the custom of some officers in the past to make all of their notes in one small bound notebook which was kept in their

possession at all times. While a bound notebook is of great value in keeping a list of important contacts, addresses, license tags of stolen automobiles, and other similar information, it is not well adapted to taking investigative notes. Officers using a bound notebook for this purpose soon find that they have all of their information in one place, and the loss of this book may jeopardize the successful prosecution of several important cases. Another objection to this procedure is that when such a notebook is used by the officer in testifying on the witness stand, the defense counsel may properly ask the permission of the Court to examine the notebook, and thereby be able to peruse through pages containing confidential information pertaining to entirely different matters. It is a well settled rule that the opposing counsel has the right, upon proper demand, to inspect and use, for purposes of cross examination, any paper or memorandum which is used by the witness, while on the stand, for the purpose of refreshing his recollection. This right is accorded in order that the counsel might ascertain whether the paper or memorandum used has any legitimate tendency to bring the fact in controversy to the mind of the witness, and in order that he might be in a position to cross-examine as to the testimony given and thereby test the candor and integrity of the witness.¹

The modern investigator has adopted the thorough analytical methods of the scientist, carefully observing every item of evidence that is located, and making appropriate notes concerning the finding and disposition of every article. This is indeed in sharp contrast with the haphazard procedure followed by many officers in the not too distant past. In those days, due principally to a lack of adequate training of police personnel, much valuable evidence was entirely overlooked or carelessly destroyed. Whenever notes were taken by the officers, they were usually jotted down on various envelopes and odd pieces of paper found in the officers' pockets. Of course in modern police work such slipshod methods are no longer tolerated, and the paramount importance of adequate notes and properly recorded data in connection with all investigative work is recognized by law enforcement officials everywhere.

1 - See Morris vs. U. S. (CCA) 14, 9F123, 9 Am. Cas. 558. See also People vs. Schepps, 217 Mich. 406, 186 N. W. 508, 21 A. L. R. 658; State vs. Bacon, 41 Vt. 526, 98 Am. Dec. 616; Rutledge vs. State 94 Tex. Co. R. 231, 250 S. W. 698.

WANTED BY THE FBI -- IRWIN M. GUNTHER



Koozer Shoe Co
By Irwin M. Gunther, President
Leonard Wiseman

Detailed descriptive data on this individual appear
on pages 37 and 38.

WANTED BY THE FBI -- IRWIN M. GUNTHER

The Federal Bureau of Investigation is actively engaged in investigation in an effort to locate Irwin M. Gunther, alias Israel M. Gunther, who was indicted by a Federal Grand Jury at Detroit, Michigan, on June 1, 1928, for a violation of the National Bankruptcy Act while associated with the Hoosier Shoe Company of Coldwater, Michigan. Photographs of Gunther appear on the opposite page.

In the indictment Gunther was charged with concealing and converting to his own use the proceeds of various accounts receivable valued at approximately \$33,000. He was also charged with concealing from the trustee of the Hoosier Shoe Company approximately \$23,000.

The description of Irwin M. Gunther is as follows:

Age	45 to 48 - date of birth indicated to be May 31
Height	5' 10"
Weight	155 pounds
Eyes	Dark Brown
Hair	Black; now possibly graying
Build	Medium
Teeth	Good
Scars	Long horizontal scar across throat underneath chin; 3" vertical scar center of forehead
Nationality	American (Jewish characteristics)
Race	White
Occupation	Manufacturer - shoe merchant, shoe salesman, accountant
Features	Long face; sharp features
Characteristics	Exceptionally long, narrow fingers; suffers from hay fever; careful and guarded in his speech; well dressed
Marital Status	Believed to be married; wife's name unknown
Relatives	Brothers, Samuel L. Gunther, 4913 North Talman Avenue, Chicago, Illinois; Michael Gunther, 4517 West Jackson Boulevard, Chicago, Illinois; Sisters, Mrs. Albert Magidson, 2045 Berwyn Avenue, Chicago, Illinois; Mrs. Rose Goldberg, 5239 Kimbark Avenue, Chicago, Illinois; Mrs. Joseph Everston, 3918 North Farwell Avenue, Milwaukee, Wisconsin.

Criminal Record

None known

Comparatively little is known of Irwin M. Gunther's background, although he appeared to be well educated and claimed to have attended Northwestern University, Chicago, Illinois. In this connection, however, it is pointed out investigation has reflected Gunther merely registered at this institution in September, 1921, but did not complete any course there. In 1922 Irwin M. Gunther was General Manager and Credit Manager for the Harry M. Husk Shoe Company, Chicago, Illinois, and later became a partner in this concern which liquidated in about 1924. Subsequent thereto, Gunther engaged in real estate operations in Chicago, Illinois, until he associated himself with the Hoosier Shoe Company of Coldwater, Michigan, in 1925. Thereafter the acts alleged in the indictment which have been mentioned heretofore took place and came to light in 1926 when the Hoosier Shoe Company attempted to float a bond issue of \$75,000. As a result, an involuntary petition in bankruptcy was filed against the Hoosier Shoe Company of Coldwater, Michigan, on January 11, 1927.

Although information has been obtained from time to time indicating Gunther served in the military or naval service of the United States and that he was married, all knowledge of these facts has been denied by Gunther's immediate relatives. It has, however, been determined that the subject was at one time a member of the Masonic Order in Chicago, Illinois. A close friend of Gunther, who frequently accompanied him socially, has stated that he was very quiet and reserved and devoted considerable of his spare time to reading and studying. He was termed a successful shoe salesman of better than the average intelligence and is known to have attended the Walton School of Accountancy and also the American Institute of Banking, both of Chicago, Illinois. Investigation has also disclosed that Gunther is believed to have suffered from hay fever and to have gone to northern Michigan every summer for treatment.

Since the return of the indictment making Gunther a federal fugitive, considerable investigation has been conducted by the Federal Bureau of Investigation in an effort to determine his present whereabouts. He is reported to have been seen by a former salesman of the Hoosier Shoe Company in Toledo, Ohio, in May, 1931, and was later reported to have been observed in the lobby of the Allerton Hotel in Chicago, Illinois, on several occasions prior to May, 1932. There is likewise some reason to believe, based upon information received from different sources, that Gunther has fled to some foreign country, but in this connection it is to be stated that no information concerning his departure from this country is recorded in the files of the Department of State.

Considering the background of this individual and in view of the possibility that he may now be engaged in a legitimate business in some city in the United States, it is requested that local departments throughout the United States be on the alert for any information concerning him. In the event any information is obtained concerning Gunther, it is requested that the nearest office of the FBI be contacted immediately, or that the information be furnished to the Director, Federal Bureau of Investigation, United States Department of Justice, Washington, D. C.

CRIME TRENDS IN THE UNITED STATES FIRST QUARTER - 1939

CRIMINAL REPEATERS

A tabulation prepared by the Federal Bureau of Investigation for the first three months of 1939 reveals that 45.4 per cent of the persons whose arrest records were examined were found to have prior criminal records. These criminal histories are incomplete because they are limited to the information in the files of the Identification Division of the FBI, but they show that 40,890 of the persons arrested and fingerprinted during this period have been previously convicted of 125,529 criminal violations. Of those, 49,401 were convictions of major crimes and 76,128 were convictions of less serious violations. These figures place emphasis upon the well-known fact that efforts of police organizations must be constantly directed toward re-apprehending individuals who at some former time have unsuccessfully come into conflict with the law of the land.

Generally speaking, the proportion of prior convictions was greater among those arrested for offenses against property than among individuals charged with offenses against the person. Almost one out of three of the persons arrested and fingerprinted during the first quarter of 1939 had prior to that time been convicted of some type of violation, but only 19 per cent of those charged with murder or manslaughter and 25 per cent of those charged with assault had records showing previous convictions. This is probably partially explainable on the theory that many murders and less serious attacks on the person are not premeditated and are committed in the heat of passion, whereas offenses against property are more or less carefully planned and are frequently the product of the professional criminal.

Of the 40,890 persons with previous convictions in their records, more than 50 per cent have been convicted of serious offenses against the person or against property. There were 431 convicted murderers, 1,711 robbers, 2,040 convicted of assault, 4,580 burglars, 10,053 thieves (including persons convicted of similar violations), 54 arsonists, 1,343 forgers and counterfeiters, 350 rapists, 711 violators of the narcotic drug laws, 448 potential killers who had been convicted of unlawful carrying of deadly weapons, and 897 convicted of driving while intoxicated. This makes a total of 22,618 individuals whose records showed previous convictions for major violations who were again arrested during the first three months of 1939, the majority of them being charged with violations equally vicious in character.

During the first quarter of 1939 there were 14 persons arrested for criminal homicides who had previously been convicted of murder or manslaughter in some degree. The tendency of criminals to repeat the same type of crime is further indicated by the fact that 184 persons charged with robbery during this period had been previously convicted of the same type of offense, and 827 persons arrested during the first three months of 1939 for burglary had been previously convicted of burglary.

The Identification Division of the FBI examined during the first quarter of 1939 a total of 139,423 fingerprint cards representing persons arrested for violations of state laws. These records were received by the FBI from law enforcement agencies throughout the United States.

YOUTH AND CRIME

The seriousness of the problem of youth in crime is indicated by the fact that 19.5 per cent (27,201) of the 139,423 fingerprint arrest records examined by the Federal Bureau of Investigation during the first three months of 1939 represented persons less than 21 years old. This is an increase over the same period of 1938, when 19.2 per cent (28,545) of the 148,291 arrest records were of youths under 21.

During the first quarter of 1939, there were 200 persons less than 21 years old charged with murder or manslaughter, 1,114 with robbery, 824 with assault, 4,451 with burglary, 6,131 with larceny and related crimes, and 1,785 with the specific offense of auto theft. Those persons number more than one-half of the 27,201 individuals less than 21 years old arrested and fingerprinted during the first three months of 1939. It should be noted that the preceding figures representing arrests of youthful persons are extremely conservative because in many jurisdictions juveniles are not fingerprinted, or copies of any fingerprints taken are not forwarded to the FBI.

From 1932 until the middle of 1935, age 19 predominated in the frequency of arrests. From the middle of 1935 through 1938, ages 21, 22, and 23 were most frequently represented. During the first three months of 1939, there were more arrests for age 22 than for any other single age group. However, during this period arrests for ages 18 and 19 exceeded the number arrested for ages 21 and 23. Arrests for outstanding age groups were as follows:

<u>Age</u>	<u>Number Arrested</u>
22	6,150
19	6,105
18	6,057
21	5,796
23	5,761

In addition to the 27,201 persons less than 21 years old arrested during the first three months of 1939, there were 23,457 (16.8 per cent) between the ages of 21 and 24, making a total of 50,658 (36.3 per cent) less than 25 years old. The compilation disclosed that 3,659 individuals were arrested and charged with robbery, 9,830 with burglary, and 3,253 with auto theft. The predominance of youth in those types of crimes is shown by the fact that 2,069 (56.5 per cent) of those persons arrested and charged with robbery, 6,407 (65.2 per cent) of those charged with burglary, and 2,442 (75.1 per cent) of those charged with auto theft were under 25 years of age.

One out of every three persons arrested for robbery during the first quarter of 1939 was under 21 years of age. Similarly, one out of every two persons arrested and charged with burglary was less than 21 years old. Auto theft, the statistics show, was frequently committed by youthful individuals. Of the 3,253 arrested for auto theft, 1,785 were under 21 years of age.

There were 41,436 persons arrested for various crimes against property (robbery, burglary, larceny, auto theft, embezzlement and fraud, forgery and counterfeiting, receiving stolen property, and arson). One-half of them were individuals less than 25 years old. Furthermore, the tabulation shows that 33.5 per cent of the 41,436 persons were under 21 years of age.

The large number of youths arrested for serious crimes and the great extent of recidivism indicate the need for community-wide crime prevention programs throughout the length and breadth of the land.

WOMEN IN CRIME

Only 6.7 per cent of the 139,423 arrest records examined by the Federal Bureau of Investigation during the first three months of 1939 represented women. For all types of crimes except commercialized vice the number of men arrested was larger than the number of women. However, a comparison of the figures representing an average group of 1,000 men arrested with those for an average group of 1,000 women arrested indicated that there were more women than men charged with murder, assault and the use of narcotic drugs. In such average groups of 1,000 men and 1,000 women arrested, it would be found that there were 11 men and 15 women arrested for murder, and that there were 50 men and 54 women charged with assault. For types of crimes against property, such as robbery, burglary, larceny and auto theft, men predominate. The comparison further reveals that 10 of each 1,000 women arrested and fingerprinted were charged with driving while intoxicated, whereas 40 of each 1,000 men were charged with that type of violation.

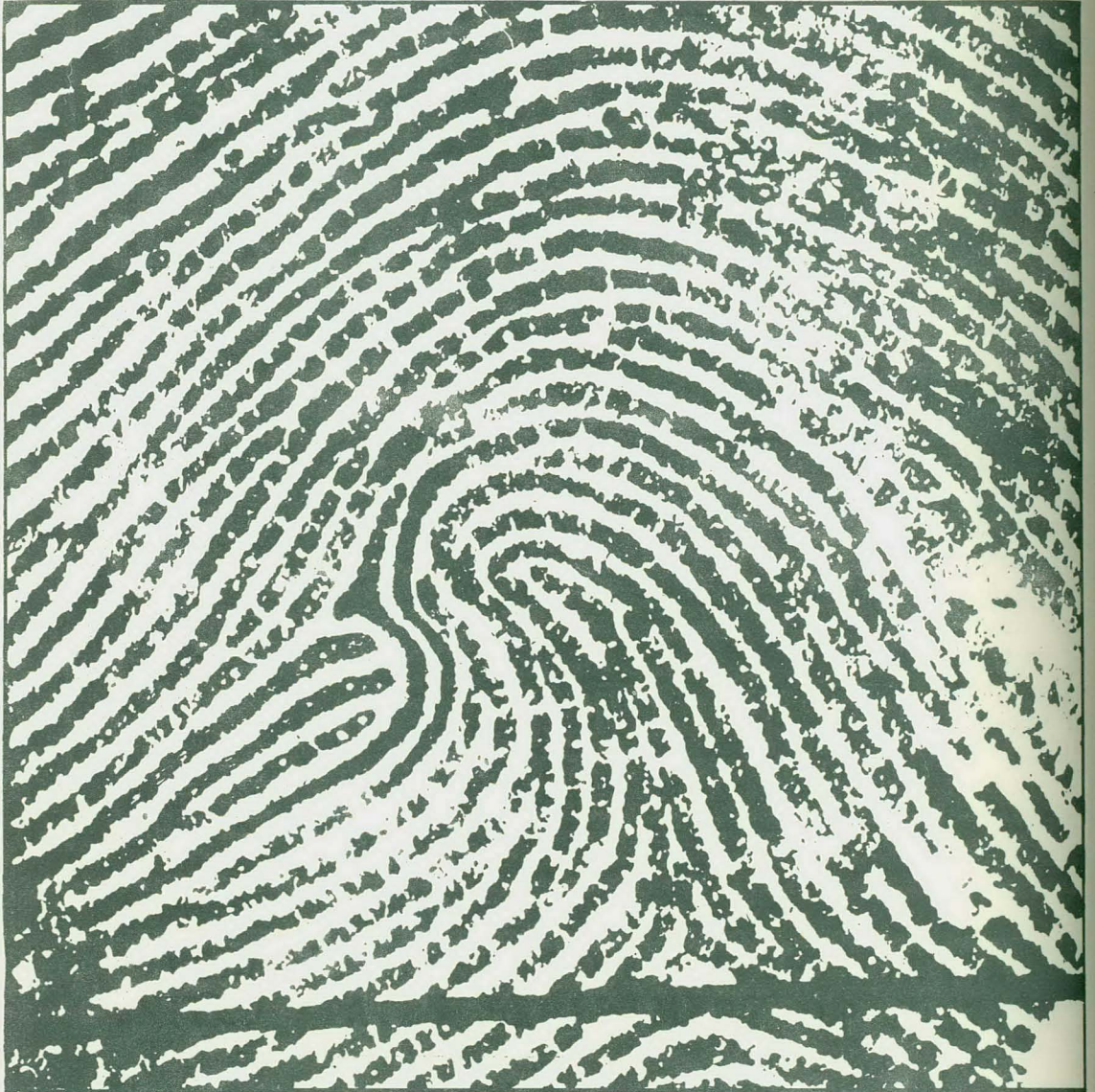
As mentioned above, 6.7 per cent of the arrest records examined during the first quarter of 1939 represented women. This is a decrease as compared with 1938, when 6.8 per cent of the records represented women.

The preceding figures are based upon fingerprint records received during the first three months of 1939 by the Identification Division of the Federal Bureau of Investigation.

A QUESTIONABLE PATTERN

The questionable pattern for consideration this month has the general appearance of a whorl. Upon close scrutiny, however, it will be noted that the pattern contains two tented arches, the one to the right of the upthrust type, the one to the left presenting ending ridges and a delta formation.

The impression cannot be classified as an accidental whorl because the accidental requires a combination of two or more different types of pattern exclusive of the plain arch.



In the Technical Section of the Federal Bureau of Investigation, this impression would be classified as a tented arch. A reference search would be conducted as an accidental whorl.

REVIEW
THE MEDICO-LEGAL ASPECTS OF THE BLOOD TEST
TO DETERMINE INTOXICATION *

by

Mason Ladd, Professor of Law, University of Iowa
Robert B. Gibson, Associate Professor of Biochemistry,
University of Iowa

The publication of a detailed exposition on the practical aspects of blood tests for the determination of intoxication at this time is especially appropriate. Professors Ladd and Gibson have admirably reviewed the existing literature in preparing their article. The first part is devoted to the laboratory techniques of the several physiological tests for determination of intoxication, and the second part of the treatise is devoted to the legal side of the question. Without endeavoring to set forth new procedures or to especially recommend any of the several available techniques, the section on the laboratory analysis outlines in considerable detail several of the more frequently used analytical methods of determining the content of alcohol in the blood. Considerable space is also devoted to the importance of and relationship of alcohol in other bodily fluids, although the laboratory procedures in these instances are not detailed. The relationship between the alcoholic content of these bodily fluids and of the breath to the presence of alcohol in the brain is ably discussed and is recognized as the essence of the question from the biochemical standpoint.

In the section devoted to the legal treatise, such cases as have been reviewed are cited. These are relatively few in number in so far as alcohol tests are concerned. In offsetting the scarcity of authoritative cases specifically to the point, the authors theorize at length on the admissibility of the findings of such laboratory tests and support their position by citing the principles of law which have already been laid down in those fields which the authors claim may be likened to the presentation of the evidence of such alcoholic determination tests.

The authors properly point out that from the legal standpoint, "The first question is whether science has developed the blood or urine test to a sufficient degree of reliability to warrant its admission as competent, relevant and material evidence. The next inquiry is whether there are constitutional or statutory obstructions in the law which on independent grounds preclude the admissibility of the test assuming its value as proof." They proceed to discuss the scientific methods and the reliability of the blood or urine test and herein quote Southgate to the effect, "(1) That the alcohol in the blood is related to the amount of alcohol consumed when this is imbibed under constant conditions. (2) That the relation of alcohol in the blood to alcohol in the urine is a fairly constant one under many circumstances. The ratio is about 1 to 1.40. (3) The concentration of alcohol in the blood is related to the symptoms of intoxication in the central nervous system."

* The article under discussion appeared in the Iowa Law Review for January, 1939, and this review is reprinted with the permission of the Iowa Law Review and the authors.

The blood tests are given the greatest prominence. It is pointed out that blood tests for intoxication have been compulsory since 1934 in Sweden in criminal cases and after traffic accidents, and that all Swedish traffic officers are provided with a means of obtaining blood specimens; further, that blood tests in suspected alcoholic cases were ordered in Germany in 1936 by the Minister of the Interior after a period of experimental trial under the direction of the Berlin Police Administration. The usual statistical tables setting forth the estimated intoxication value from the presence of various percentages of alcohol are reported.

A section of the article deals with other tests for the determination of the alcoholic content of the urine, breath, saliva, and cerebro-spinal fluid. It is pointed out that 98 per cent of ingested alcohol is usually consumed within the body and the remaining 2 per cent is excreted by the lungs and kidneys. Research is cited, indicating that this 2 per cent residue is about evenly divided in the breath and the urine and in turn is in direct ratio to the alcohol in the blood. The authors conclude that the estimation of blood alcohol from a determination of the alcohol content of the breath is practical. It is noted, however, that the collection of the expired air for analysis requires some cooperation from the accused.

A section entitled "Conditions Affecting Predictability from the Tests" reduces in an admirable way the highly technical reports of various laboratory researches on the biochemical phases of alcohol determination to a practical interpretation of the results readily understandable by the lay person and applicable to the every day police problem of intoxication. In this section it is pointed out that the absorption peak of blood alcohol is reached about one hour after the ingestion of the alcohol in accustomed drinkers and reaches a minimum level or is practically gone in the blood in from five to twelve hours, depending upon the amount ingested, after the last drink is taken. Thus, it may be possible to estimate the approximate blood absorption level at the time of the accident even though the blood specimens were not taken for several hours. The more concentrated the form in which the alcohol is taken, the more rapid the rise, i.e., two ounces of whiskey, one Martini, or three glasses of beer brings the blood alcohol level to about 50 mg. per cent.* If taken with food, however, twice the amount of each beverage might be taken without the blood alcohol level going above that figure.

*The authors, in arriving at this particular figure, do so in the following manner: "Alcoholic Levels -- The amount of alcohol ingested controls the blood alcohol level under constant experimental conditions. Thus, 1 cc. of alcohol per kilogram of body weight (pounds/22) produces a blood alcohol level of about 100 mg. per 100 cc.; 2 cc., nearly 200 mg., etc. The weight of the alcohol in grams is equal to $\frac{4}{5}$ of the volume in cubic centimeters. The amount of alcohol in the tissues in grams may be obtained by figuring the water content of the body (70 per cent of the body weight in grams), multiplying this by the blood alcohol in grams per 100 cc. of blood, dividing by 0.83 (there is 83 cc. of water in 100 cc. of normal blood). Such estimates may be requested in court.

"Nintey-eight per cent of the ingested and absorbed alcohol is destroyed in the body, two per cent is eliminated by the breath and in the urine. This destruction

In this section the authors deal with the much mooted question of tolerance. Bogen is quoted to the effect that the tissues are always affected to about the same degree by the concentration of alcohol in the blood, irrespective of the previous habits of the individual or the total amount of alcohol drunk. Except for contending that the physiological absorption is the same in both habitual and non-habitual drinkers, the mystery of the great variance in reaction on the part of different individuals to exactly the same stimulus is not solved.

Comment is made on the sobering effect of shock. This is indeed important from the practical standpoint and the authors relate a case of a reckless driver who as a result of his drinking had been involved in a collision and severely injured the other driver and wrecked both cars. When examined by the police surgeon he seemed slightly if at all under the influence of alcohol. Shortly after the examination was over, he lay down and went to sleep on the cell bench, all recognition of his responsibility having been lost. A blood alcohol test indicated definite intoxication.

In dealing with the question of the interpretation of the laboratory tests, the authors point out the scarcity of objective research work seeking the degree of impairment of driving ability in a large number of individuals because of alcohol. The tests conducted by Heise and Halporn are quoted in which five subjects were given one to five ounces of whiskey and all showed a slowing of reaction time and made mistakes in driving around obstacles in the street. The findings of Holcomb are also reported as follows: "Blood alcohol levels (estimated from urine tests) were made for a total of 270 drivers involved in accidents resulting in hospitalization to determine the amount of drinking involved. The figures show that 47 per cent had been drinking, 25 per cent having blood alcohol levels over 100 mg. per cent and 14 per cent showing over 150 mg. per cent. Holcomb also classified the data of breath tests (Harger) on 1750 drivers who were stopped at random in the regular Evanston traffic and asked to volunteer. The tests were made in the earlier mentioned trailer laboratory, were done during day and night hours, and at several locations. This sample of the general driving population showed that about 12 per cent of all drivers on the road had been drinking and that about 2 per cent had a blood alcohol content of 100 mg. per cent, enough to impair their driving ability. Thus there are 33 times as many drivers whose blood contains 150 mg. per cent of alcohol in a group of drivers in personal injury accidents as in

or oxidation proceeds at a constant rate -- 11 cc. per hour for the average-sized man, and this figure seems to be definitely established. (Newman and Cutting, Alcohol Injected Intravenously; Rate of Disappearance from the Blood Stream (1936) 54 J. Phar. Exp. Ther. 371). The blood alcohol diminishes at a rate of 15 mg. per hour from the peak of the blood curve in most subjects. This peak is reached in about one hour after the ingestion of the alcohol in accustomed drinkers, although the alcohol level may plateau in non-habituated drinkers. It is possible to estimate the approximate level at the time of the accident when the blood specimens have been taken some hours later. Alcohol reaches a minimum level, or is practically gone in the blood ordinarily in from 5 to 12 hours, depending upon the amount ingested, after the last drink is taken."

the general driving population; there are 10 times as many whose blood contains 130 mg. per cent; the plotted curve then descends and approaches a ratio of unity at about 50 mg. per cent. Alcohol drinking then can be considered as causing an increase of accidents over the non-alcohol incidence when the blood alcohol level is over a figure of 50-60 mg. per cent. However, Holcomb notes that additional cases are needed here to obtain a smoother, more reliable curve." In summarizing this section the authors set forth the following conclusions:

1. "If the blood contains no alcohol, this is absolute proof of non-intoxication.
2. "At or below 50 mg. per cent there is little or no appreciable effect on anyone.
3. "From 51-70 mg. per cent the effects of the alcohol may have contributed to an accident, but the accused is not necessarily intoxicated.
4. "Blood alcohol levels of 71-150 mg. per cent should be prima facie evidence of intoxication from the standpoint of car operation. For these limits the corresponding urine alcohol levels are 100-200 mg. per cent. The results of clinical examinations and tests should be considered.
5. "With levels of 151 mg. per cent or more, practically every person may be regarded as definitely intoxicated."

Great care is urged both in collecting the specimen for blood tests and in the conduct of the subsequent analysis. The authors greatly emphasize that the use of alcohol, alcohol preparations, or phenol solution for sterilization of the skin of the arm before drawing the blood might legally affect the validity of the analytical results for the reason that the defense counsel might claim that the alcohol used in sterilizing affected the results of the blood test itself. Several methods of conducting the alcohol blood determination tests are set forth.

The second part of the article commences with the statement, "There can be little doubt today that the blood and urine tests have reached sufficient standardization to entitle them to admission in evidence as reliable proof." It is subsequently claimed that such tests are as valuable in drunkenness cases as corroborative evidence as is the Wasserman test for syphilis. It is interesting to note that the authors state, "There is no danger of its use for fear of over-valuation by the jury because the jury from their ordinary experience in life will recognize the varying degrees of tolerance of individuals where the concentration of alcohol in the blood is in the lower levels and will also be able to judge the facts concerning the accuracy of the experts obtaining the fluid specimen and making the test."

The Constitutional aspects of a compulsory blood test are considered from the legal standpoint. It is argued that the taking of blood from the defendant for such testing purposes should not be prohibited under unlawful search and seizure provisions and cases pro and con are cited.

The authors considered the next legal obstacle, the contention that testimony concerning the tests would violate the defendant's guarantee of due process of law and against self-incrimination. Again cases are cited in some detail and the question of whether the defendant is subjected to personal indignities is considered. The cases cited are not specific in point inasmuch as the entire science of alcoholic physiological tests is relatively new to the courts.

In preparing their legal brief the authors theorize that the alcohol tests are non-testimonial in nature and compare testimony concerning such with fingerprint testimony, the admission of photographs of the defendant and the right of the prosecution to compel the defendant to stand up in court for recognition. It is pointed out that the courts have previously approved an examination of the defendant's body for identifying scars, et cetera, and that handwriting made by the defendant at the demand of an officer after arrest has been held admissible against the assertion of the privilege against self-incrimination. Evidence of scrapings taken from under the fingernails of the accused and the results of the subsequent tests have been evidence and the defendant has been compelled to unwrap a bandaged hand and display the same.

After completing the argument that the taking of blood samples for tests and subsequent testimony thereon do not violate the rights of the defendant against self-incrimination, the authors suggest the alternate procedure of obtaining a waiver of privilege against self-incrimination from the accused. This is suggested as an additional precautionary step but at the same time the authors recognize the extremely paradoxical situation which results. Obtaining the consent of the accused presents the anomalous situation in which the prosecution is contending that the accused was highly intoxicated at the time of his crime and at the same time is arguing that he was sufficiently sober to legally give his consent to the taking of the blood tests. The authors point out, however, that such a situation would be a rarity and that "in most cases where the test would be employed the driver might be intoxicated to such an extent that his judgment would be impaired, and he would be a dangerous person to operate an automobile on the highways, and yet his senses might be sufficiently active to enable him legally to consent to the test."

In connection with their discussion on obtaining the consent to the test from the accused, the authors quoting *State v. Beltz* (Iowa 1938), set forth a concise but comprehensive statement on the whole general problem of the extent of the warning which police authorities must or should give to the accused before taking statements. The *Beltz* case holds "-- that in the absence of statute there is no duty on the part of law enforcement officers to warn persons in custody that all statements made by them may be used against them or to warn them of their privilege against self-incrimination in order to render a confession admissible."

Another interesting legal aspect of the admissibility question concerns the possible plea of confidential physician-patient privilege on the part of the defendant. As in dealing with the possible obstacles of self-incrimination, the authors first argue the theory that the physician-

patient privilege should not exist as a bar to testimony concerning blood tests and then subsequently recommend that the possible plea of privilege be avoided by having a physician separate from the one who administers first aid or other treatment to the defendant, take the blood samples which are to be subsequently tested.

In considerable detail the authors follow through on a hypothetical case, the legal techniques involved in the introduction of blood test testimony and note the pitfalls that should be avoided. In this hypothetical case it is pointed out that assuming the physician present only took the sample of blood and that the laboratory testing was subsequently done by a biochemist, the biochemist "---even after the test is made and assuming a very strong alcoholic content is found, would be unable to express an opinion directly that the accused was intoxicated as he would be thus forced to assume existence of too many facts subject to independent proof." It is pointed out, however, that subsequently in his testimony the biochemist "---should be in a position to express his opinion hypothetically that a person with the amount of alcohol in the blood as disclosed by the test of the blood which was contained in the identified exhibit either would or would not be intoxicated. In other words, with the background of his training as an expert, he could testify as to the state of intoxication of a person assuming the percentage of alcohol in the blood to be the same as that found in his blood analysis."

The conclusion of the authors is set forth hereinafter in its entirety:

"The blood and urine test to determine intoxication has reached a stage of scientific development and reliability where it may serve a most useful purpose in assisting courts and juries to discover the truth in cases in which intoxication is an issue. Although science never stands still and there will be constant improvements in respect to the test, it has passed its experimental period and affords a safe basis of determining intoxication where the alcoholic concentration is in the higher levels. The use of the test will liberate the innocent by the same means that it will convict the guilty. One in an accident under circumstances which might indicate his intoxication should demand the test at once if he had not been drinking or had drunk but little, as it is the sure means of his protection. The courts should have the benefit of the blood test in all cases involving intoxication, and particularly in motor vehicle cases where the public safety is constantly jeopardized. The unwilling or the unconscious driver the same as others should be compelled to submit to the test; there should be no need of consent. The physician-patient privilege should be held inapplicable as the test would rarely if ever be used in medical treatment. These results can be accomplished without the violation of a single statutory or constitutional provision if the courts will be both forward-looking and backward-looking. Historically, the legal inhibitions could not apply to the blood test, and today the modern development of the law is moving in the direction of wider admissibility of evidence wherever new proof will aid the courts in a just determination of the causes which come before them."

CONFERENCE ON POLICE TRAINING *

At the Conference on the Standards of Police Training attended by a select group of practical, experienced police instructors under the joint auspices of the Federal Bureau of Investigation and the Office of Education, Department of the Interior, there were considered the advantages and disadvantages and also the required success factors in various types of police training programs. There appeared to be three principal types of organization for carrying on training for law enforcement officers. They are as follows: (1) Local program; (2) Zone schools; (3) Institutes or short courses. Analyses of each of these three principal types of organization appear in the following pages. Each type of organization has certain advantages and disadvantages. Also, for each type, certain "success factors" have been identified. All of these factors are set forth in the following charts:

Local Programs

<u>Definition or Characteristics</u>	<u>Advantages</u>	<u>Dis- advantages</u>	<u>Success Factors</u>
A program set up and operated primarily to serve a single agency.	<ol style="list-style-type: none"> 1. Best type for building up esprit de corps. 2. Best adapted to meeting local training needs. 3. Better discipline. 4. Continuity and permanency. 5. Easier to control scope and objectives of training. 6. The best known method of training recruits. 7. No travel costs. 8. Opportunity to study at home. 9. Minimum time required for a specific result. 10. Probability of more suitable equipment in harmony with local departmental procedure. 11. Stimulates favorable publicity for department. 	<ol style="list-style-type: none"> 1. Personal contacts limited except as officers from outside are invited in. 	<p>Successful in proportion as:</p> <ol style="list-style-type: none"> 1. Progress is continuous. 2. Adequate backing. 3. It meets the specific needs of those enrolled. 4. The working conditions are sufficiently favorable to make a good job possible. 5. Equipment is adequate. 6. Enrollment properly restricted. 7. Administrative control is centered in a permanent, substantial agency of government.

*See March, 1939 and May, 1939 issues of this Bulletin for further information regarding this Conference.

<u>Definition or Characteristics</u>	<u>Advantages</u>	<u>Dis-advantages</u>	<u>Success Factors</u>
	12. Encourages mutual understanding and respect.		
	13. Better opportunity for free discussion of problems.		
	14. Offers opportunities to clear up misunderstandings.		

Zone Schools

A type of organization set up in a city to serve a surrounding area - a county or other subdivision of a state.

This type offers one means of providing training to small communities which might otherwise have no training.

1. Promotes uniformity of law enforcement work.
2. Facilitates cooperation between city and suburban communities - radio and teletype.
3. Promotes cooperation because of better understanding.

1. Possibility that some of the training will not have equal value for city and suburban officers.
Examples:
Rules and Regulations.
City Ordinances.
Procedure in Arrests.
2. Distances to be traveled interfere with attendance.
3. Opportunity for development of esprit de corps limited because of mixed personnel.
4. Cost of travel for officers enrolled.
5. Possible lack of permanency.
6. Does not meet needs for training of recruits.

A zone school will be successful in the degree to which:

1. It has the necessary backing.
2. The instructors are qualified (interchange)
 - a. Knowledge of police work
 - b. Ability to teach.
3. It meets the specific needs of those enrolled.
4. The working conditions are sufficiently favorable to make a good job possible.
5. Equipment is adequate.
6. Enrollment properly restricted.

<u>Definition or Characteristics</u>	<u>Advantages</u>	<u>Dis- advantages</u>	<u>Success Factors</u>
			7. Administrative control is centered in a permanent, substantial agency or government.
Institute or Short Courses			
One to two weeks of intensive or superficial training usually on a wide variety of subjects mostly on the lecture plan.	1. At the present stage of development it may stimulate interest in training. 2. May stimulate state-wide cooperation in the apprehension of fugitives. 3. May offer opportunities for profitable exchange of ideas.	1. Improperly handled they may handicap future developments in police training. 2. Poorly planned courses are the rule. 3. Attendance may be referred to as an excuse for not providing training locally. 4. Only a very small percentage of officers can attend. 5. No opportunity for development of esprit de corps. 6. Considerable expense to men enrolled.	Such program will be successful in proportion as: 1. The personnel in attendance is properly classified with regard to needs and interests. 2. The objectives are clearly defined and properly limited. 3. It meets the specific needs of those enrolled. 4. The working conditions are sufficiently favorable to make a good job possible. 5. Equipment is adequate. 6. Enrollment properly restricted.
or			
A special intensive course in traffic.			
This type of organization is usually sponsored by universities.	4. A small amount of information is passed on to officers who can use it.		

An examination of the three principal types of organization considered shows that more advantages are apparent for local programs than for either of the other types. The advantages of the local program are obvious in the case of large departments. However, the advantages of a local program can often be realized in small departments which do not need even one full-time instructor. Classes can be held for perhaps two hours per day, and during the remaining portion of the day the instructor can devote his attention to other duties. In addition to this possibility, there is no department so small but that the Federal Bureau of Investigation will be glad to give assistance in preparing a program, arranging a full course of training, and selecting instructors from the FBI and other

sources. With such assistance, inter-departmental training schools or local programs are not only practicable, but, for a number of reasons, a preferable type of training.

The zone school type of organization appears to be another desirable means of bringing police training opportunities within the reach of departments in small communities. Many times a series of zone schools can be served by one traveling or itinerant instructor. Based on the advantages and disadvantages set forth it might be wise frequently for small departments to arrange to receive training from the better equipped schools in nearby larger organizations.

SPECTROGRAPHIC ANALYSIS SOLVES BURGLARY

During their investigation of a burglary in November, 1937, the Police of Radnor Township, Pennsylvania observed that the burglar had cut the telephone conductor cord in the home of the victim to prevent the spreading of alarm. Searching the person of a suspect, Parris Compton, they found a pocketknife. The police authorities transmitted this knife, together with the cut telephone cord to the Federal Bureau of Investigation at Washington and asked whether modern science could determine if the knife was the one used in the cutting of the wire. In the Technical Laboratory of the FBI it was possible by means of two entirely different analytical methods to find valuable evidence which strongly indicated that the penknife submitted had been used in the burglary. By means of spectrographic analysis conducted on the blade of the suspected knife, traces of copper and tin were found on the cutting edge which traces appeared in the same proportions as the copper and tin making up the bronze alloy of the wire itself. The presence of these metals was established conclusively in spite of the fact that they appeared in such small quantities that they were not recognizable to the naked eye. But this was not all of the scientific evidence. A tiny fiber was observed caught in the blade bed of the knife. Placed under the high-power microscope and magnified many hundreds of times this fiber was compared with the fibers which were woven into the outside insulation of the telephone cord. The comparison was most favorable and the tiny bit of evidence fiber was found to be of the same kind, color and grade as those used in the insulation material.

When the burglar was brought to trial at Media, Pennsylvania the prosecutor requested the presence of both of the FBI specialists who had made these Laboratory examinations. The police in their investigation of the case, had gathered certain circumstantial evidence against the defendant including a record of a footprint found at the scene of the burglary which was shown to correspond with the shoe impression of the defendant. The scientific evidence uncovered in the FBI Laboratory was desired by the prosecutor in order to corroborate the general circumstantial evidence of a more routine type which had been gathered. Both of the FBI experts, one a specialist in fiber analysis and the other an expert spectrographer, took the witness stand and related their scientific story. The jury convicted the defendant and on March 25, 1938, he was sentenced to serve from five to ten years in the penitentiary and was fined \$100.00 costs in addition.

PERSONALS

CALIFORNIA

Mr. Earl B. Lentz was elected Chief of Police of Santa Ana, California on April 10, 1939. Mr. Lentz took over the duties of his new office on April 17, 1939. He succeeds Mr. Floyd W. Howard.

IOWA

Mr. Owen Crispin has recently been appointed to the position of Chief of Police at Oskaloosa, Iowa, succeeding Mr. Howard Allgood.

Mr. A. B. Pelham has been appointed Chief of Police at Tama, Iowa. He succeeds Mr. Lauren E. Sadler.

KANSAS

Mr. Wayne Horning who resigned as Chief of Police of Topeka, Kansas, on April 10, 1939, has been succeeded by Mr. Charles D. McKnaught.

MINNESOTA

Mr. Edward B. Hansen, Chief Deputy Sheriff of the St. Louis County, Minnesota Sheriff's Office and graduate of the FBI National Police Academy, has been appointed Chief of Police of Duluth, Minnesota.

MISSOURI

Mr. Earl Porter has been elected Chief of Police of Poplar Bluff, Missouri. He succeeds Mr. Eli Sliger.

NEBRASKA

Mr. A. L. Bockhahn has succeeded Mr. Harry L. Moore as Chief of Police at Grand Island, Nebraska.

Mr. J. Floyd Arnold is the new Chief of Police at Hastings, Nebraska, succeeding Mr. John A. James.

Mr. Milo M. Owen has recently succeeded Mr. C. R. Niedergerke as Chief of Police at York, Nebraska.

Mr. Charles Blaha has been appointed Acting Chief of Police at St. Paul, Nebraska, succeeding Mr. Leon Suchaneck.

Mr. Ben Erisman has been appointed Chief of Police at Auburn, Nebraska, to succeed Mr. Clarence Rapp.

PENNSYLVANIA

Mr. N. W. Keeney is now Chief of Police at Hanover, Pennsylvania.

Mr. Paul Rau has recently been appointed Chief of Police of Hamburg, Pennsylvania.

Mr. Robert E. Gallagher, Sr. has recently been appointed Chief of Police at Kutztown, Pennsylvania, succeeding Mr. Russell A. Walters.

Mr. Walters has assumed the duties of Chief of Police at Emaus, Pennsylvania.

Mr. Harvey J. Scott has recently been appointed Superintendent of Police at Pittsburgh, Pennsylvania.

SOUTH CAROLINA

Mr. W. F. Hunter is the new Chief of Police at Greenwood, South Carolina, succeeding Mr. E. Y. McDonald.

VERMONT

Mr. Arthur W. Thalacker, former Detective of the Westchester County, New York Parkway Police and a graduate of the FBI National Police Academy, has been appointed Chief of Police at Burlington, Vermont. He assumed his new duties on May 1, 1939.

WEST VIRGINIA

Mr. Hubert Bellomy, formerly Chief of Police at War, West Virginia, has resigned, and on April 1, 1939 became Deputy Sheriff of McDowell County, West Virginia.

UNKNOWN DROWNED PERSON IDENTIFIED THROUGH FINGERPRINT COMPARISON

On April 1, 1939 an unknown white man was drowned in his automobile when it left the road near Hanford, California. The Sheriff at Hanford, California recorded the fingerprints of the deceased and transmitted them to the Identification Division of the FBI for a search through its files, advising that efforts to identify the deceased in that locality had been fruitless.

When the fingerprints of the deceased were searched through the files of the Identification Division, it was found that a fingerprint record was contained in the files for this person under the name of Garnett LeRoy Fisher, and revealed that his fingerprints had been forwarded on seven occasions by law enforcement agencies and officials since the year 1922. This individual had been arrested for the offenses of embezzlement of automobile, drunkenness, disorderly person, disorderly conduct, larceny suspect, and vagrancy. The fingerprints submitted for him by law enforcement agencies indicated that he had traveled from coast to coast and back again, fingerprints having been submitted by the Police Departments at San Francisco, Los Angeles and El Centro, California, and more recently by the Police Department at Baltimore, Maryland and finally by the Sheriff at Hanford, California.

The record of this individual reflected his birthplace as Great Falls, Montana and his residence, as of February 26, 1939, as 1626 Lowell Avenue, Butte, Montana. Telegraphic advice concerning the above identification was at once transmitted to the Sheriff at Hanford, California.

Communications may be addressed to the Field Office covering the territory in which you are located by forwarding your letter or telegram to the Special Agent in Charge at the address listed below. Telephone and teletype numbers are also listed if you have occasion to telephone or teletype the Field Office.

CITY	AGENT IN CHARGE	TELEPHONE NUMBER	BUILDING ADDRESS (Letters or Telegrams)
Aberdeen, S. D.	Hanni, Werner	4652	310 Federal
Atlanta, Georgia	Listerman, W.L.	Walnut 3698	501 Healey
Birmingham, Ala.	Soucy, E.A.	4-1877	320 Federal
Boston, Mass.	Peterson, V.W.	Liberty 8470	10 Post Office Square, Room 1016
Buffalo, N. Y.	McLaughlin, W.V.	Cleveland 2030	400 U. S. Court House
Butte, Montana	Banister, W.G.	2-4734	302 Federal
Charlotte, N. C.	Scheidt, E.	3-4127	914 Johnston
Chicago, Illinois	Ladd, D.M.	Randolph 6226	1900 Bankers'
	Clegg, J.E. (Assistant)		
Cincinnati, Ohio	Harris, H.D.	Cherry 7127	1130 Enquirer
Cleveland, Ohio	Rosen, A.	Prospect 2456	1448 Standard
Dallas, Texas	Conroy, E. E.	2-9086	1206 Tower Petroleum
Denver, Colorado	Gebben, E. J.	Main 6241	518 Railway Exchange
Des Moines, Iowa	Coulter, R. C.	3-8998	739 Insurance Exchange
Detroit, Michigan	Bugas, J. S.	Cadillac 2835	911 Federal
El Paso, Texas	Untreiner, R.J.	Main 501	202 U. S. Court House
Huntington, W. Va.	Warnes, J. W.	8928	700 West Virginia
Indianapolis, Ind.	Reinecke, H.H.	Riley 5416	323 Federal
Kansas City, Mo.	Guinane, E.P.	Victor 3113	1612 Federal Reserve Bank
Knoxville, Tenn.	Davis, E.R.	3-7928	407 Hamilton National Bank
Little Rock, Ark.	Andersen, H.E.	6734	500 Rector
Los Angeles, Calif.	Hood, R. B.	Mutual 3277	810 South Spring, Room 603
Louisville, Ky.	Reynolds, J.D.	Jackson 5139	633 Federal
Memphis, Tenn.	Vincent, J.W.	8-4236	2401 Sterick
Miami, Florida	McKee, S.K.	3-5558	1300 Biscayne
Milwaukee, Wisconsin	Rutzen, A. C.	Daly 3431	1021 Bankers'
Newark, N. J.	Kitchin, A.P.	Market 2-5511	936 Raymond-Commerce
New Orleans, La.	Sackett, B.E.	Raymond 9354	1308 Masonic Temple
New York, N. Y.	Brantley, D.	Rector 2-3520	607 U.S.Court House, Foley Square
	Dalton, J.L. (Assistant)		
Oklahoma City, Okla.	Fletcher, H.B.	2-8186	940 First National
Omaha, Nebraska	Stein, C.W.	Atlantic 8644	629 First National Bank
Philadelphia, Pa.	Leckie, A.B.	Locust 0880	1300 Liberty Trust
Pittsburgh, Pa.	Sears, J. F.	Grant 0800	620 New Federal
Portland, Oregon	Swenson, J. D.	Atwater 6171	411 U. S. Court House
Richmond, Virginia	Devereaux, W.S.	3-0169	601 Richmond Trust
Salt Lake City, Utah	Newman, J.C.	Wasatch 1797	301 Continental Bank
San Antonio, Texas	Jones, G. T.	Fannin 8052	478 Federal
San Francisco, Calif.	Pieper, N.J.L.	Exbrook 2679	One Eleven Sutter, Room 1729
Seattle, Washington	Suran, R.C.	Main 0460	800 Joseph Vance
Springfield, Illinois	Fitzsimons, B.F.	Main 2226	1107 Illinois
St. Louis, Missouri	Norris, G. B.	Garfield 0360(*)	423 U. S. Court House & Custom House
St. Paul, Minnesota	Hendon, R. C.	Garfield 7509	404 New York
Washington, D. C.	Hottel, G.	National 5303	2266 U. S. Department of Justice

(*) Telephone number to be used after 5:00 P.M., on Saturday afternoons and Holidays is Garfield 2120.

The teletypewriter number for each Field Office, including the Bureau at Washington, is 0711, except the New York City Office which is 1-0711.

Communications concerning fingerprint identification or crime statistics matters should be addressed to: Director

Federal Bureau of Investigation
United States Department of Justice
Pennsylvania Avenue at 9th Street, N. W.
Washington, D. C.

The office of the Director is open twenty-four hours each day.

TELEPHONE NUMBER: NATIONAL 5303
EMERGENCY (KIDNAPING): NATIONAL 7117

